

IN RE: PETITION FOR VARIANCE
SW/S North Point Boulevard,
485' NE of Trappe Road
(2723 North Point Boulevard)
15th Election District
7th Councilmanic District

Thomas Caravello, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-431-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2723 North Point Boulevard, located in the vicinity of Charlesmont in Dundalk. The Petition was filed by the owners of the property, Thomas and June Caravello. The Petitioners seek relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the minimum required 30 feet, and to confirm the proposed plan change as being in compliance with the previously approved site plan in Case No. 83-93-SPH. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Tom and June Caravello, property owners, J. Scott Dallas, Registered Property Line Surveyor who prepared the site plan for this property, Kevin Mayhew, Contractor, and Ralph K. Rothwell, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.76 acres, more or less, split zoned B.R. and B.R.-C.S.1, and is improved with a one-story building. The property was the subject of prior Case No. 83-93-SPH in which the Petitioners were

ORDER RECEIVED FOR FILING
Date 7/28/95
By [Signature]

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granted approval of a nonconforming use of the subject property as an automobile recycling/junk yard. Testimony indicated that a junk yard has existed on the property since the 1930s and that the Petitioners have continued to operate a junk yard on the premises for the past 13 years. The Petitioners now come before me seeking variance relief to permit the construction of a 33' x 60' metal storage building on the property in accordance with Petitioner's Exhibit 1. The proposed storage building is needed to provide protective storage space for automobile parts, including electronic, electrical and computer sensitive parts found on newer cars. Due to the fact that a paper street runs through the center of the property, the Petitioners were forced to locate the proposed building within the required 30-foot side yard setback, and thus, a variance is necessary. Mr. Caravello testified that it is absolutely essential to have this storage building in order for his business to survive. Further testimony indicated that the proposed building is similar to those used at other automotive junk yard facilities in this area.

Mr. Kevin Mayhew testified as to the proposed building to be constructed. Mr. Mayhew testified that the proposed building is a pre-fabricated metal storage building, 33' x 60' in dimension, as depicted on Petitioner's Exhibit 2, a design plan of the proposed building. Given the site constraints of the property, the requested variance is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of July, 1995 that the Petition for Variance seeking relief from Section 238.2 of the Baltimore County Zoning

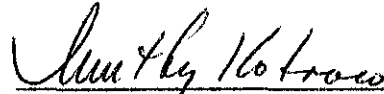
ORDER RECEIVED FOR FILING

Date

By

Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the minimum required 30 feet, and to confirm the proposed plan change as being in compliance with the previously approved site plan in Case No. 83-93-SPH, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioners shall submit a landscape plan for review and approval by Avery Harden, Landscape Architect for Baltimore County. All landscaping pursuant to the approved plan shall be accomplished within thirty (30) days of the date of the approved plan.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/12/93
By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 12, 1995

Ralph K. Rothwell, Jr., Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
SW/S North Point Boulevard, 485' NE of Trappe Road
(2723 North Point Boulevard)
15th Election District - 7th Councilmanic District
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Rothwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Thomas Caravello
2723 North Point Boulevard, Baltimore, Md. 21222

People's Counsel

File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2723 North Point Boulevard

which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 238.2 To allow a side yard setback of 10 ft. in lieu of the minimum required 30 ft. AND to confirm the proposed plan change as being in compliance with case #83-93-SPH.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Petitioner has operated auto salvage facility on site for more than 20 years. The nature of vehicles and construction has changed and certain parts on modern vehicles must be kept under roof to prevent damage and loss due to exposure to the elements. Further, when dismantling vehicles with certain parts, that procedure should be done out of the elements which may cause damage and loss of value to parts. Such parts include electronic, electrical & computer sensitive type parts found on all newer vehicles. Petitioner presently has no such facility and in order to be competitive, needs that capability.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

Ralph K. Rothwell, Jr.

(Type or Print Name)

Signature

7508 Eastern Avenue (410) 282-2700

Baltimore, Maryland 21224

City

State

Zipcode

Legal Owner(s).

Thomas Caravello

(Type or Print Name)

Signature

June Caravello

(Type or Print Name)

Signature

2723 North Point Boulevard 284-7040

Address

Phone No

Baltimore, Maryland 21222

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Ralph K. Rothwell, Jr., Esquire (410) 282-2700

Name

7508 Eastern Avenue, Baltimore, Md. 21224

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

5-26-95

ORDER RECEIVED FOR FILING

Date



Printed with Soybean Ink on Recycled Paper



#426

426

95-431-A

ZONING DESCRIPTION

#2723 North Point Boulevard

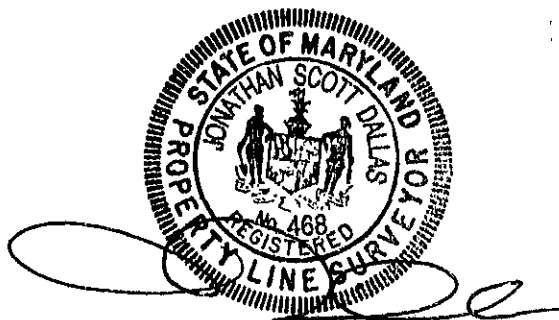
BEGINNING at a point on the southwest side of North Point Boulevard which is 150 feet wide at a distance of 485 feet, more or less from the centerline of Trappe Roach which is 70 feet wide as shown on the Plat of Property of Mars Stores, Incorporated and Leo G. Schneider, Et.Ux., Et.Al as recored among the Land Records of Baltimore County in Plat Book 40 folio 126 thence leaving said North Point Boulevard and running the three following courses and distances: (1) South 56 degrees 15 minutes 38 seconds West 503.00 feet (2) North 33 degrees 36 minutes 43 seconds West 164.25 feet (3) North 56 degrees 15 minutes 38 seconds East 428.34 feet to intersect said southwest side of North Point Boulevard thence running with and binding on said southwest side of said North Point Boulevard (4) South 58 degrees 04 minutes 44 seconds East 180.27 feet to the place of beginning.

CONTAINING 1.76 acres of land, more or less.

BEING all of that parcel of land as recorded in Deed Liber 5882, folio 860 etc.

Also known as #2723 North Point Boulevard and located in the 15th Election District.

(NOTE: Above description is for Zoning hearing purposes only, was developed from existing deeds, plats, and some recovered field evidence, and is not the result of a boundary survey.)



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-431-A

District 15th

Date of Posting 6/9/95

Posted for: Vannino

Petitioner: Thomas & June Corvello

Location of property: 2723 N. Pt. Blvd., S.W.

Location of Signs: Facing road way, on property being zoned

Remarks: _____

Posted by

M. A. K. K.
Signature

Date of return:

6/16/95

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-431-A (Item 426)
2723 North Point Boulevard
-- Toms Auto Parts
SW/8 North Point Boule-

vard, 400 NE of Trappe Rd.
15th Election District
7th Councilmanic
Legal Owner(s):

Thomas Caravello
and June Caravello
HEARING: TUESDAY,
JUNE 27, 1995 at 10:00
a.m. in Rm. 118, Old
Courthouse.

Variance: to allow a side
yard setback of 10 feet in lieu of
the minimum required 30 feet
and to confirm the proposed
plan change as being in com-
pliance with case #83-93-SPH.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
887-3353.

(2) For informa-
tion concerning the File and/or
Hearing, Please Call 887-3391.

6/1/7 June 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/8, 1995

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 6/8, 1995.

THE JEFFERSONIAN,

G. Henrichson
LEGAL AD. - TOWSON

Publisher



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-431-A

Account: R-001-6150

Date 5-26-95

Item Number 426

Taken in by: [Signature]

Owner: Thomas Caravello

Site: 2723 North Point Blvd.

# 020	Commercial Variance Filing Fee	250. ⁰⁰
# 080	Sign & Posting	35. ⁰⁰

Total \$ 285.⁰⁰

03A03H012301CHRG

RD 000709AM05 26 95

\$285.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be assessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 426

Petitioner: Ralph K. Robinson

Location: 27 7508 Eastern Ave. 21224

PLEASE FORWARD ADVERTISING BILL TO:

282-2700

NAME: _____

ADDRESS: Same

* PHONE NUMBER: _____

*MUST BE SUPPLIED

1 104/05/93

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TO: PUTUMENT PUBLISHING COMPANY
June 8, 1995 Issue - Jeffersonian

Please forward billing to:

Ralph K. Rothwell, Jr., Esq.
7508 Eastern Avenue
Baltimore MD 21224
282-2700

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-431-A (Item 426)
2723 North Point Boulevard -- Toms Auto Parts
SW/S North Point Boulevard, 485' NE of Trappe Road
15th Election District - 7th Councilmanic
Legal Owner(s): Thomas Caravello and June Caravello
HEARING: TUESDAY, JUNE 27, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 10 feet in lieu of the minimum required 30 feet and to confirm the proposed plan change as being in compliance with case #83-93-SPH.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-431-A (Item 426)

2723 North Point Boulevard -- Toms Auto Parts

SW/S North Point Boulevard, 485' NE of Trappe Road

15th Election District - 7th Councilmanic

Legal Owner(s): Thomas Caravello and June Caravello

HEARING: TUESDAY, JUNE 27, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 10 feet in lieu of the minimum required 30 feet and to confirm the proposed plan change as being in compliance with case #83-93-SPH.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Thomas and June Caravello
Ralph K. Rothwell, Jr., Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 20, 1995

Ralph K. Rothwell, Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: Item No.: 426
Case No.: 95-431-A
Petitioner: Thomas Caravello

Dear Mr. Rothwell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

LOCATION: SW/S NORTH POINT BLVD., 485' NE OF TRAPPE RD.
(2733 NORTH POINT BLVD.-TOMS AUTO PARTS)

Gentlemen:

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED

JUN 9 1995

ZADM

cc: File



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: June 12, 1995
 Zoning Administration and Development Management

FROM: *PWB* Robert W. Bowling, P.E., Chief
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for June 12, 1995
 Items 420, 421, 424, and 426

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM Joyce Watson
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 6/5/95

DATE: 6/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 420
421
422
423
425
426
427

LS:sp

LETTY2/DEPRM/TXTSBP

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-6-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 426 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 22, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 2723 North Point Boulevard

INFORMATION:

Item Number: 426

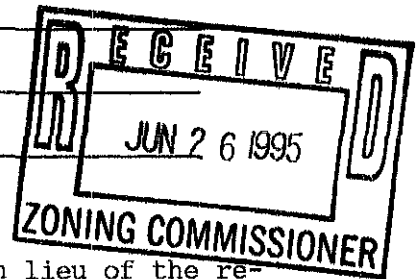
Petitioner: Caravello Property

Property Size: _____

Zoning: BR

Requested Action: Variance

Hearing Date: ____/____/____



SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a setback of 10' in lieu of the required 30', and confirmation that the plan is in compliance with Case #83-93 SPH.

The petitioner's site was the subject of a special hearing in 1982 (Case No. 83-93-SPH). The order in that case included several restrictions that are pertinent to the current requested variance and they are listed below:

- The area of land used for the junk yard shall not be less than one acre, and no inoperable vehicle, machinery, or other junk or scrap shall be located, either for storage or dismantling, within 50 feet of the front street line or 30 feet from any other adjoining property.
- All junk shall be located to allow free passage of North Point Terrace from its point of intersection with the petitioner's rear property line to its intersection with the right-of-way line of North Point Boulevard.
- The subject property shall be fenced, as proposed by the petitioners, or in the alternative, shall be screened by the planting of shrubbery, evergreen trees, or vines, as may be required by... the Office of Planning and Zoning. In either case, the entrances/exits to and from the site shall remain open to allow the use of North Point Terrace.

A site visit revealed there is no landscaping, and a sheet metal fence approximately 12' high surrounds the site along the property line with an entrance on the North Point Boulevard side. The fence prevents the free passage from North

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Point Terrace to North Point Boulevard. Research did not reveal a building permit was issued for the existing fence (active permits go back to January 1, 1989).

Based on noncompliance with the existing Order and the community and County's attempt to beautify the North Point Boulevard Corridor, staff recommends the following conditions be attached should the request be granted:

- A landscaped plan should be submitted for approval by the Baltimore County Landscape Planner, Avery Harden, prior to the issuance of any building permits.
- The plan should include street trees along the North Point Boulevard frontage and vines should be planted on the outside of the fence to reduce the visual impact. The Office of Planning has met with Mr. Harden prior to the development of this comment to ensure that our concerns are addressed.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL

c: Avery Harden

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 28, 1995

(410) 887-4386

Ralph K. Rothwell, Jr., Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
SW/S North Point Boulevard, 485' NE of Trappe Road
(2723 North Point Boulevard)
15th Election District - 7th Councilmanic District
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Rothwell:

In response to your letter dated July 17, 1995 concerning the above-captioned matter and your request for a reconsideration of the landscaping requirements imposed by my Order issued July 12, 1995, the following comments are offered.

I have reviewed the case file and the comments contained therein and am persuaded to deny your request. While I can appreciate the sentiment expressed in your letter that your client would be the only property owner along this business strip who would be required to provide landscaping, it is clear that the Office of Planning and Zoning seeks to improve the aesthetic appearance of this area of Baltimore County by requiring that landscaping be provided where possible in all future developments. For your information, I visited the subject property prior to making my decision in this matter and determined that a landscape plan for this area is warranted. Therefore, I must deny your request for reconsideration.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Thomas Caravello
2723 North Point Boulevard, Baltimore, Md. 21222

Case File



PETITION PROBLEMS AGENDA OF JUNE 5, 1995

#420 --- JRF

1. Notary section is incorrect.

#421 --- MJK

1. Front of petition form has one signature; back of petition form has two signatures. One or two legal owners -- which is correct?

#424 --- JCM

1. No legal owner's name, signature, address, telephone number on petition form. (See JCM's memo in file.)

#426 --- JJS

1. Zoning on top of petition form does not agree with zoning on folder.

#427 --- JJS

1. Need typed or printed name and title of person signing for legal owner.

RE: PETITION FOR VARIANCE
2723 North Point Boulevard (Tom's Auto
Parts), SW/S North Point Blvd, 485' NE of
Trappe Road, 15th Election District,
7th Councilmanic

Thomas and June Caravello
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* CASE NO. 95-431-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Ralph K. Rothwell, Jr., Esquire, 7508 Eastern Avenue, Baltimore, MD 21224, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

MASLAN, MASLAN AND ROTHWELL, P.A.

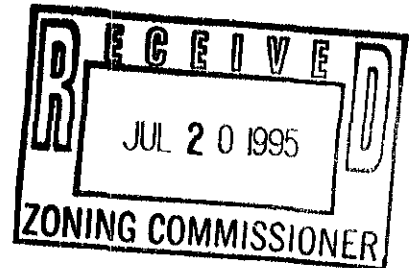
ATTORNEYS AT LAW
7508 EASTERN AVENUE
BALTIMORE, MARYLAND 21224
TEL: (410) 282-2700
FAX: (410) 282-3336

GARY R. MASLAN
RALPH K. ROTHWELL, JR.

OF COUNSEL
M. MICHAEL MASLAN

July 17, 1995

Timothy M. Kotroco,
Deputy Zoning Commissioner
Office of Planning & Zoning
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204



Re: Petition for Variance
SW/S North Point Blvd., 485' NE of Trappe Rd.
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Kotroco:

I am in receipt of your decision of July 12, 1995, which conforms to your oral findings at the hearing with one exception. Condition two of your Order regarding a landscaping plan was not brought to our attention at the hearing and we had no opportunity to address it. When I received the packet of comments from the various county and state agencies, they did not include the proposed landscaping information. In fact, that letter came to my attention and to my office well over a week after the hearing itself.

Please consider this letter in the nature of a Motion for Reconsideration asking that you remove the requirement for the landscape plan. I refer you to our exhibits and photographs of North Point Boulevard in that area. If my client is required to undertake some sort of landscaping plan, he will be the only business in that whole strip that is required to do so. If you look at the first building to his left, which is Collisons, apparently they put up a huge garage and did not landscape anything. That building is brand new this year.

My client is putting up a metal building, set back from the road that no one will see. It hardly seems fair to subject him to these landscaping requirements. I would respectfully request that you reconsider your Order and delete that particular requirement. I thank you for your attention.

Very truly yours,

Ralph K. Rothwell, Jr.

RKR/rf
cc: Thomas & June Caravello

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

4932 HAZELWOOD AVENUE

BALTIMORE, MD 21206

(410) 866-2884

FAX (410) 866-2003

March 31, 1995

Mr. Arnold Jablon, Director
Baltimore County
Zoning and Development Management

(HAND DELIVER)

RE: Proposed Metal Storage Building
Tom's Auto Parts
North Point Blvd.

Dear Mr. Jablon:

In accordance with my conversation with Mr. John Lewis of your office I have enclosed a \$40.00 check to Baltimore County, a copy of Petitioner's Exhibit 1 as submitted in previous 83-93-SPH, and a copy of my "Plan to Accompany Building Permit Application" depicting current conditions at the referenced site.

Mr. Thomas Caravello, owner of the subject property, would like to construct the "proposed metal storage building" as shown crosshatched on my Plan. Most of the site is currently covered by car parts and partially dismantled cars. The storage building will be used for keeping select parts from exposure. Per Mr. Lewis, we are aware that a variance will be required for a 10' setback to property line. The purpose of this request is to confirm that the proposed building meets with the spirit and intent of the original non-conforming use.

Thank you for your consideration in this matter. Your earliest response will be greatly appreciated.

Very truly yours,

J. Scott Dallas, P.L.S.
President

April 5, 1995

15th Election District

Speed
Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



Dear Mr. Dallas:

The proposed addition was reviewed for spirit and intent and staff believes that this question is best resolved by including, as part of the zoning variance wording, a request to "confirm the proposed plan change as being in compliance with zoning case 83-93-SPH."

Should you have any questions regarding the above, please contact me at 887-3391.

Sincerely,

John L. Lewis
Planner II

JLL:jaw

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ralph Rothwell
Tom Carlucci

7508 Eastern Ave
2726 NP Terrace

J. Scott Dallas

13523 Long Green Pike 21013

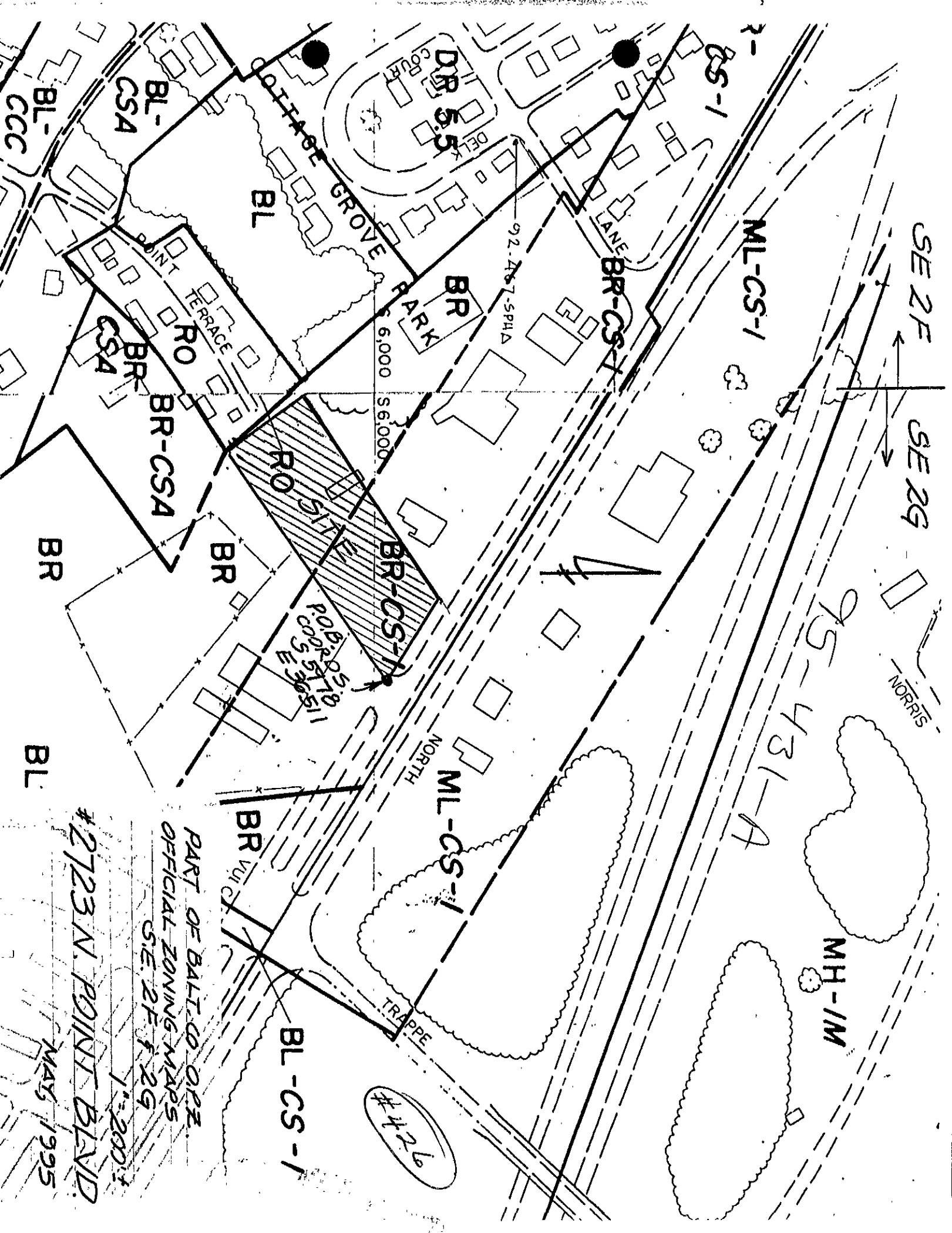
Kevin A. Mayhew

7502 Old Hartford Rd 21234

Jane Carlucci

2726 North Point Ter





SE 2F

SE 2G

NORRIS

MH-1M

ML-CS-1

CS-1

BR-CS-1

DR 5.5

BR

ML-CS-1

GROVE PARK

6,000 56,000

BR-CS-1

NORTH

TRAPPE

BL

BL-CSA

BL-CCC

RO

BR-CSA

RO

BR

BR

BL

BR

BL-CS-1

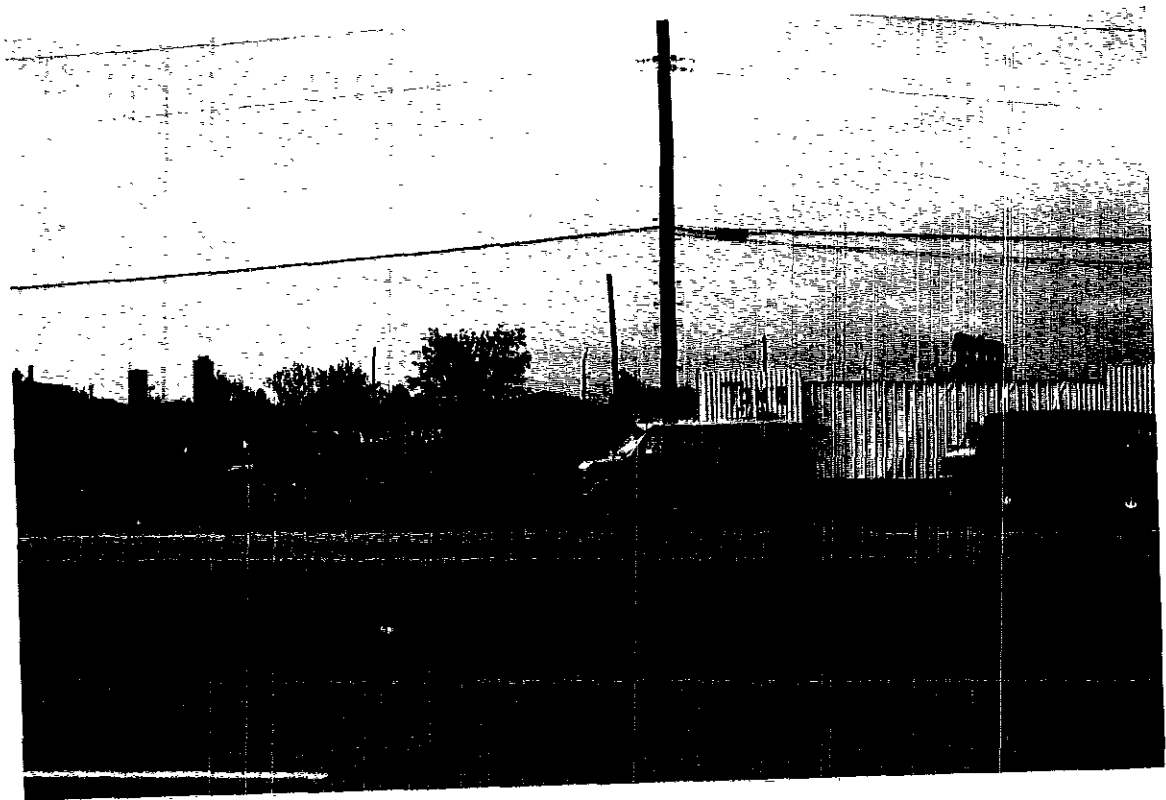
#1426

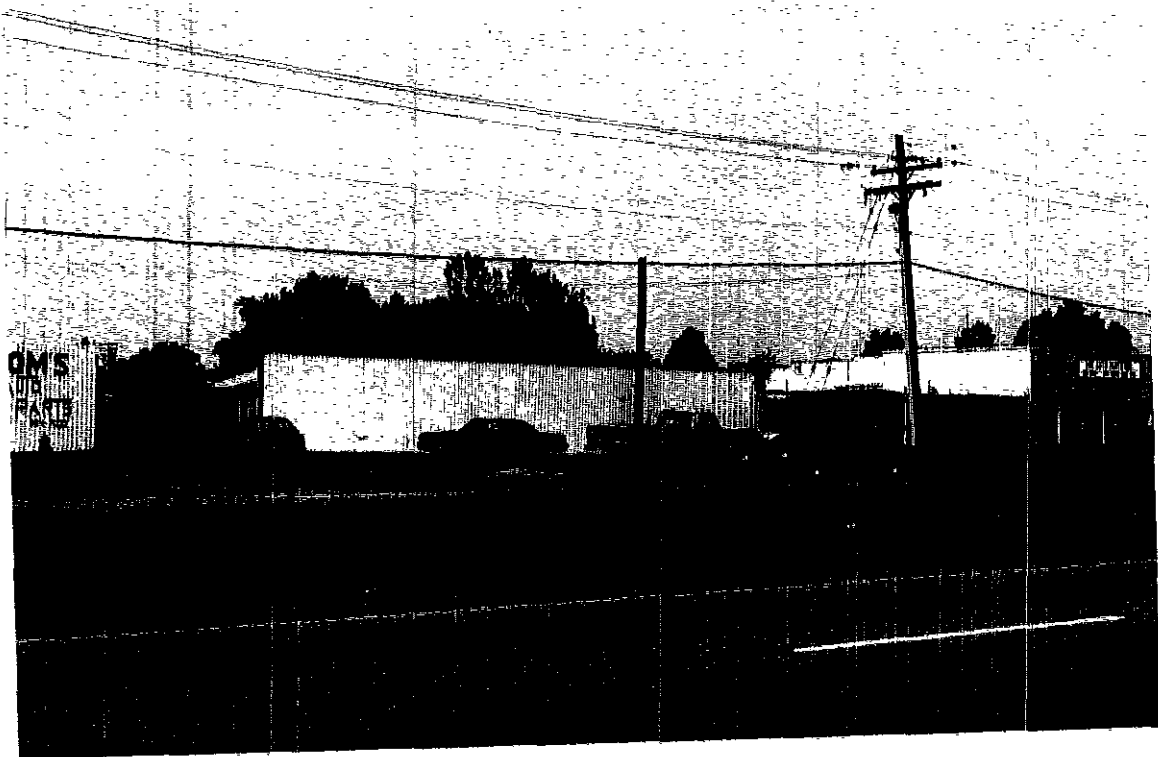
PART OF BALTO. ORZ.
OFFICIAL ZONING MAPS
SE. 2F & 2G
1"=200'

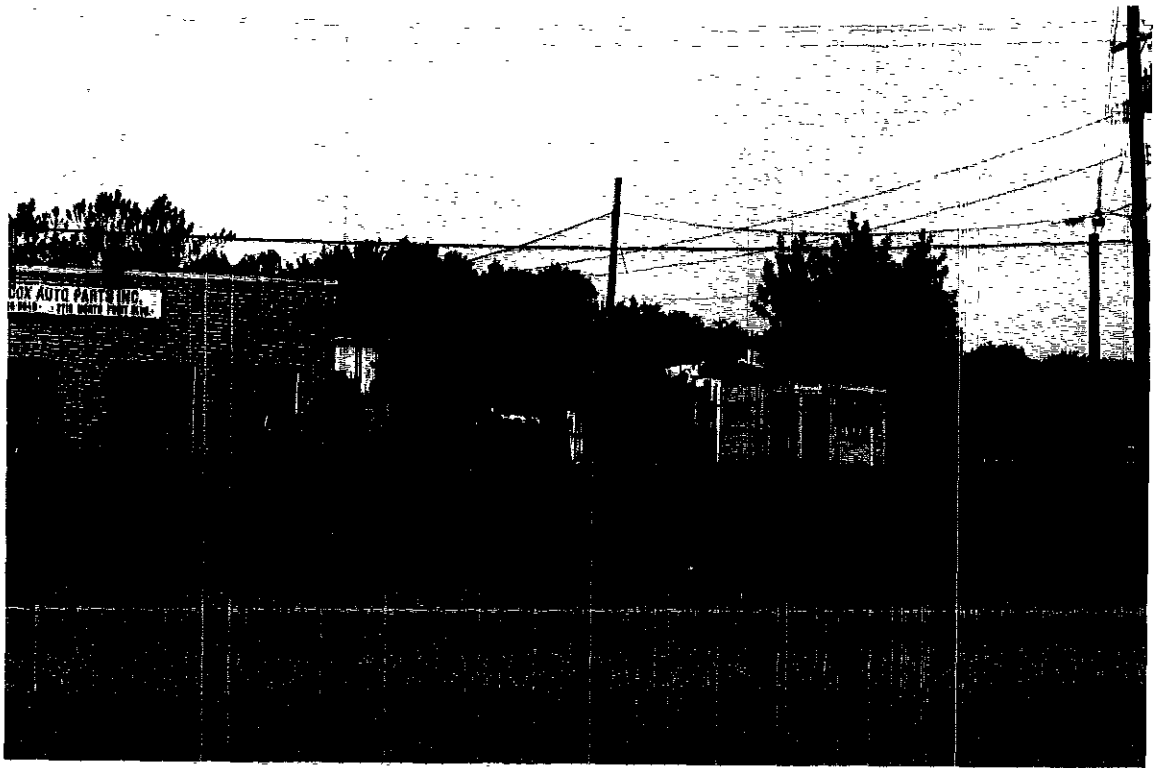
#2723 N. POINT BLVD

MAY 1995



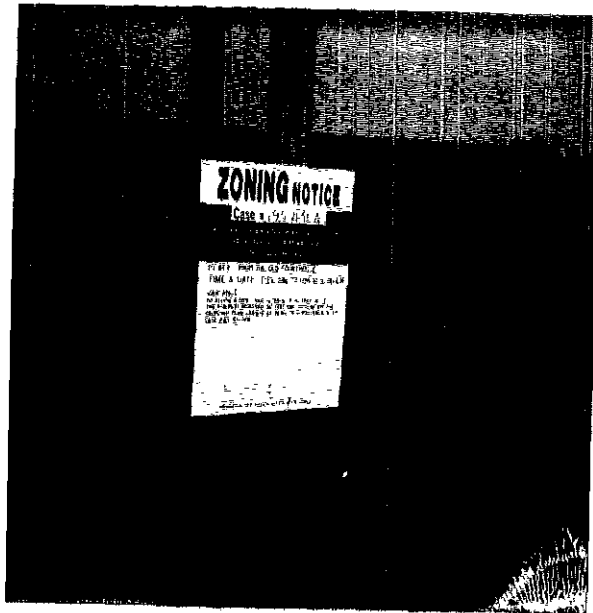




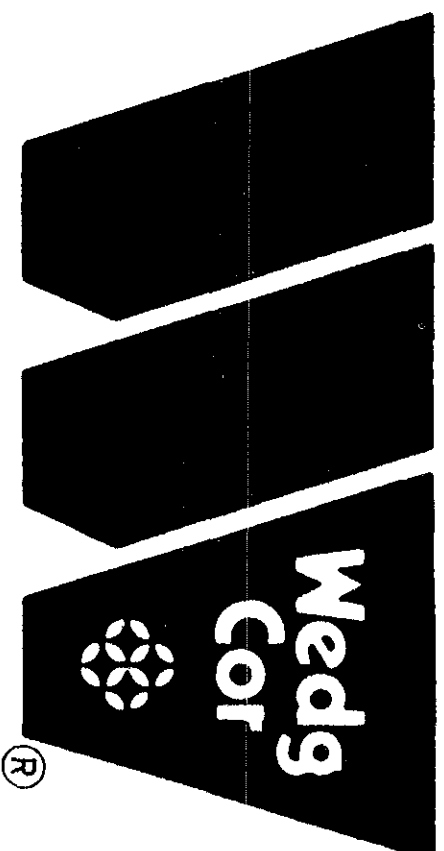


Petitioner's
Exhibits 3A -
3C

95-431-A
(photographs)



MICROFILMED



**PETITIONER'S
EXHIBIT 2**

WedgCor, Inc.

Building Systems (701) 252-7380

P.O. Box 110 • Jamestown, ND 58402-0110

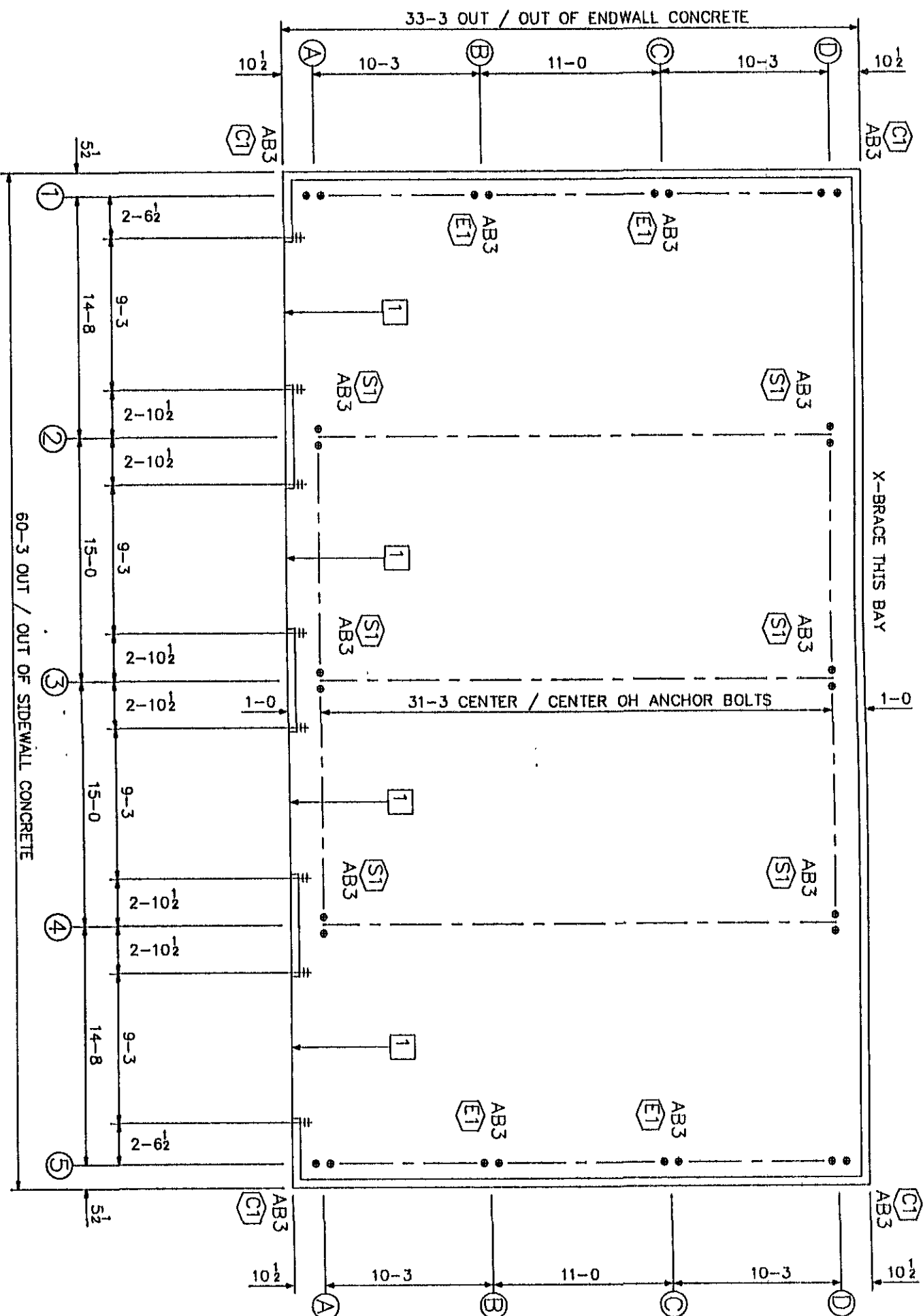
APPROVED

APPROVAL DRAWINGS ONLY




NOTE: THESE PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF THIS BUILDING ARE NOT TO BE USED FOR ERECTION PURPOSES. THESE PLANS ARE FOR BUILDING DEPARTMENT AND APPROVAL PURPOSES ONLY. THE ANCHOR BOLT PLAN PORTION IS FOR CONSTRUCTION.

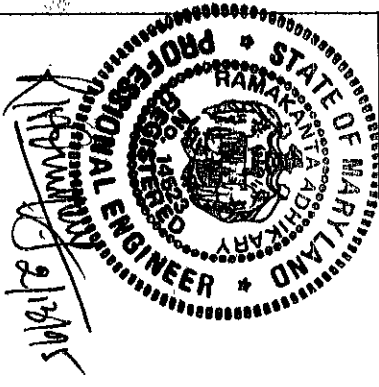
NOTICE TO BUYER

WEDGCor, INC. ONLY SUPPLIES BUILDING MATERIALS MANUFACTURED BY WEDGCor, INC. YOUR DEALER IS INDEPENDENT AND NOT A CONTRACTOR OR AGENT OF WEDGCor, INC. INSULATION, ERECTION, OVERHEAD DOORS, ETC., ARE NOT THE RESPONSIBILITY OF WEDGCor, INC.



ANCHOR BOLT SETTING PLAN

1. FOR DETAILS AND REACTIONS SEE A2 AND A3 OF 3.
2. AB_ DENOTES ANCHOR BOLT SIZE,  DENOTES ANCHOR BOLT DETAIL.
3. SEE ACCESSORY SCHEDULE FOR FRAMED OPENING MARK  AND DETAIL .

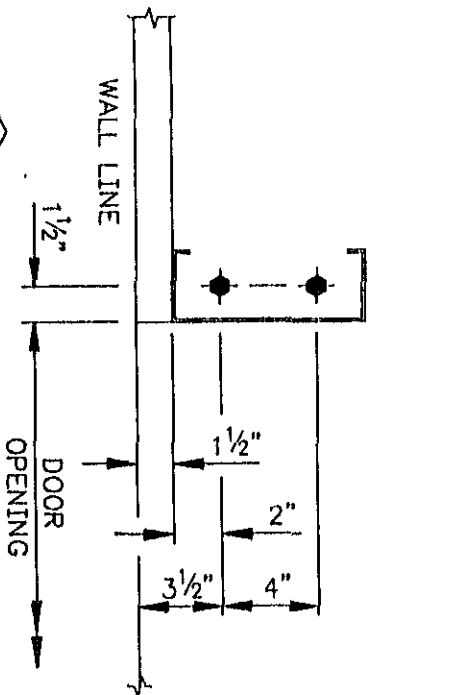


WEDGECOR INC.
Ruser : K. A. MAYHEW CONSTRUCTION Drawn By: GP
Dist. : TOWNS AUTO PARTS 1-17-95
Inscr. : 33 x 60 x 12 2:12 Check By: D5
Site : BALTIMORE, MD 1-19-95
Scale : None
P.O. : W11262

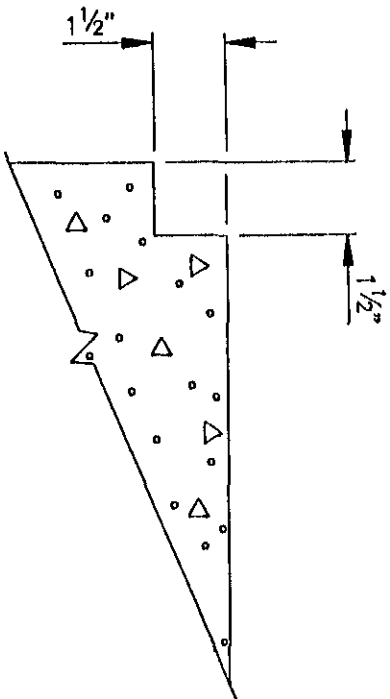
SHEETING NOTCH

FRAMED OPENING ANCHOR BOLT DETAIL

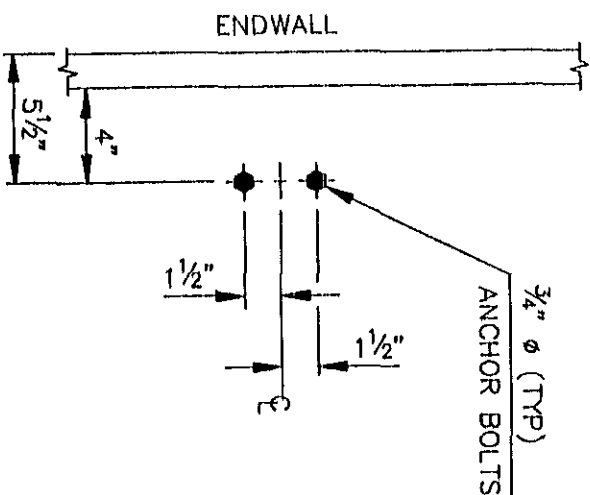
1) SEE ANCHOR BOLT SETTING PLAN FOR LOCATION.
2) USE 1/2" Ø (AB1) ANCHOR BOLTS.



OMIT AT DOOR OPENING AND AS SHOWN
ON ANCHOR BOLT SETTING PLAN.



E1



BASE: 6" x 8"

GENERAL NOTES

- THIS BUILDING IS DESIGNED FOR THE FOLLOWING LOADS IN ACCORDANCE WITH THE BOCA BUILDING CODE.
ROOF LL = 30.00 psf EXPOSURE B
WIND LOAD = 80.00 mph
COLLATERAL LOAD = 0.00 psf
SEISMIC ZONE = 1
CRANE = NA TYPE: NA
MEZZANINE LOAD: LL = NA psf DL = NA psf
- ANCHOR BOLTS AND ANY OTHER ITEMS EMBEDDED IN CONCRETE, INCLUDING ALL MASONRY FASTENERS AND ANCHORS, ARE NOT BY WEDGECOR.
- FOUNDATION DESIGN OR ANY OTHER CONCRETE DESIGN WORK IS NOT BY WEDGECOR (CONSULT A LOCAL ENGINEER FOR THE DESIGN OF FOUNDATION AND CONCRETE WORK).
- BASE PLATES ARE DESIGNED ASSUMING CONCRETE HAS A MINIMUM STRENGTH OF 2500 psi AT 28 DAYS.
- BASE PLATES SIZES ARE 3" x 8" UNLESS NOTED.

MATERIAL SPECIFICATIONS

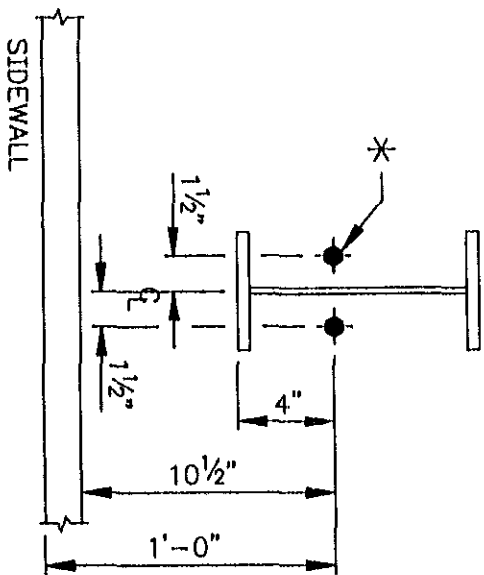
- GIRTS, PURLINS, AND EAVE STRUTS: ASTM A570, GRADE 55.
- 11 GA. AND 7 GA. WEB PLATE: ASTM A570, GRADE 50.
- 0.25 AND GREATER WEB PLATE: ASTM A572, GRADE 50.
- BAR STOCK: ASTM A529.
- SHEETING: ASTM A446, GRADE "E" 80,000 psi.
- TRIM: ASTM A446, GRADE "D" 50,000 psi.
- BRACING: EHS ZINC COATED STEEL WIRE STRAND
- CONFORMING TO: ASTM A475-72a.
- ANCHOR BOLT: ASTM A307 OR A36 ROD MATERIAL.
- HIGH STRENGTH BOLTS: ASTM A325 (USED WHERE SPECIFIED ON DRAWINGS) ARE DESIGNED AS BEARING TYPE CONNECTIONS AND THREADS ARE INCLUDED IN THE SHEAR PLANE IN THE DESIGN OF THESE BOLTS.

ACCESSORY SCHEDULE

MARK	DESCRIPTION	DETAIL	QTY.
[1]	9-0 x 10-0 FRAMED OPENING	[A]	4

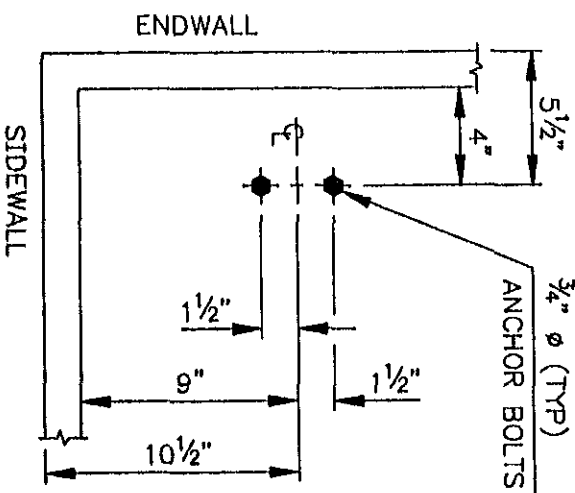
S1 * SEE ANCHOR BOLT SETTING PLAN
FOR ANCHOR BOLT DIAMETER

BASEPLATE: 5" x 10"



C1

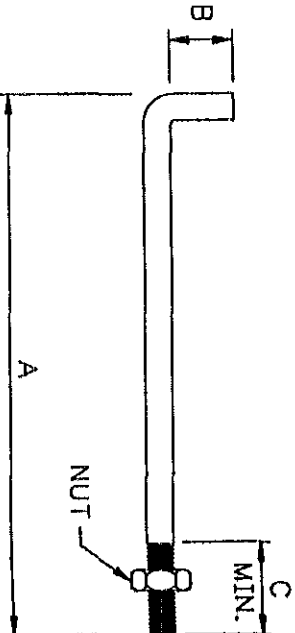
BASE: 6" x 8"



ANCHOR BOLT SCHEDULE

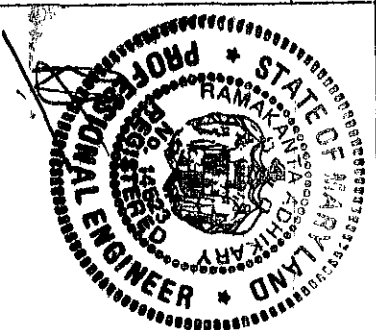
MARK	QTY.	DIA.	LEN.	A	B	C	PROJ.
AB1	16	1/2"	11 1/2"	10"	1 1/2"	1 1/2"	1 1/2"
AB3	28	3/4"	1'-5 1/2"	1'-3"	2 1/2"	2 1/2"	2"

ANCHOR BOLT

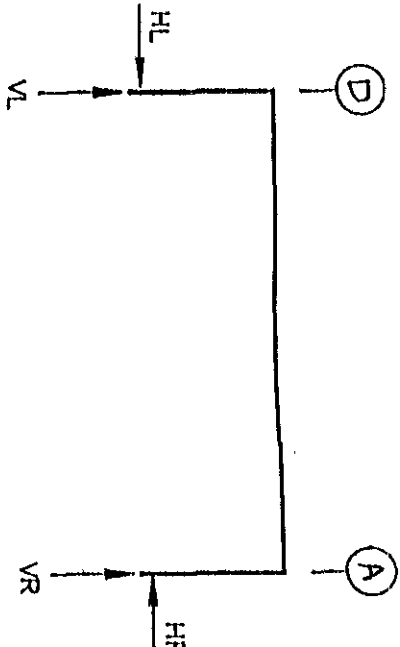


VERIFY LENGTH AND
WIDTH DIMENSIONS

CHECK YOUR ANCHOR BOLT
SETTING PLAN TO MAKE
CERTAIN THAT ALL THE
DIMENSIONS SHOWN AGREE
WITH THOSE LISTED IN
YOUR CONTRACT.



WEDGECOR INC.
K. A. HAYES CONSTRUCTION Drawn By: GP
Cust.: TOW'S AUTO PARTS 1-17-95
Reserv.: 33 x 60 x 12 2112 Check By: DS
Site.: BALTIMORE, MD 1-19-95
Scale.: None
P.O.: W1262 SHEET NO. A2 OF 3



FRAME LINES (W11262 #1) :	2	3	4
----------------------------	---	---	---

BUILDING LOADS	COLUMN REACTIONS (KIPS)			
	HL	VL	HR	VR
DL	0.24	0.87	0.24	0.87
SL	2.51	7.42	2.51	7.43
WLL	-3.04	-3.34	0.49	-1.64
WLR	0.49	-1.64	-3.04	-3.34
UPL	1.89	6.55	1.89	4.58
WLL1	-3.01	-5.68	0.53	-3.98
WLR1	0.53	-3.98	-3.01	-5.68
WLL2	0.06	-4.46	0.06	-4.46
WLR2	0.06	-4.46	0.06	-4.46
SEIL	-0.15	-0.11	0.15	0.11
SEIR	0.15	0.11	-0.15	-0.11
COMB # 1	2.76	8.29	2.76	8.29
COMB # 3	-2.80	-2.47	0.74	-0.77
COMB # 6	-2.77	-4.81	0.77	-3.12
COMB # 9-	0.30	-3.60	0.30	-3.60
COMB #16	1.42	4.56	1.42	4.73
COMB #17	1.64	4.73	1.42	4.56
COMB #18	0.06	0.63	0.36	0.85
COMB #19	0.36	0.85	0.06	0.63
COMB #20	-0.05	0.40	0.36	0.70
COMB #21	0.36	0.70	-0.05	0.40

LOAD COMBINATIONS

```

COMB # 1--> 1.00 X(DL+ SL)
COMB # 3--> 1.00 X(DL+ WLL)
COMB # 6--> 1.00 X(DL+ WLL1)
COMB # 9--> 1.00 X(DL+ WLL2)
COMB #16--> 0.75 X((1.1+0.5Av)X DL+ 0.7SL+ SEIL)
COMB #17--> 0.75 X((1.1+0.5Av)X DL+ 0.7SL+ SEIR)
COMB #18--> 1.00 X((0.9-0.5Av)X DL+ SEIL)
COMB #19--> 1.00 X((0.9-0.5Av)X DL+ SEIR)
COMB #20--> 0.75 X((0.9-0.5Av)X DL+ (2R/5)X SEIR)
COMB #21--> 0.75 X((0.9-0.5Av)X DL+ (2R/5)X SEIR)
UBL-> 1.00X SNOW LOAD ON LEFT SLOPE ROOF+ 0.50X
SNOW LOAD ON RIGHT SLOPE ROOF

```

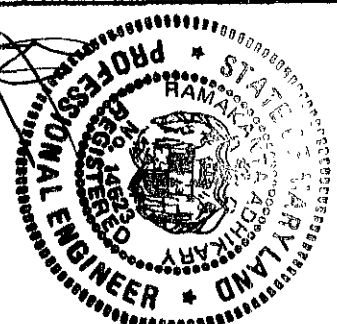
[illegible]

BETWEEN FRAME LINES
AT COLUMN LINE(S):

NOT APPLICABLE

NOTES:

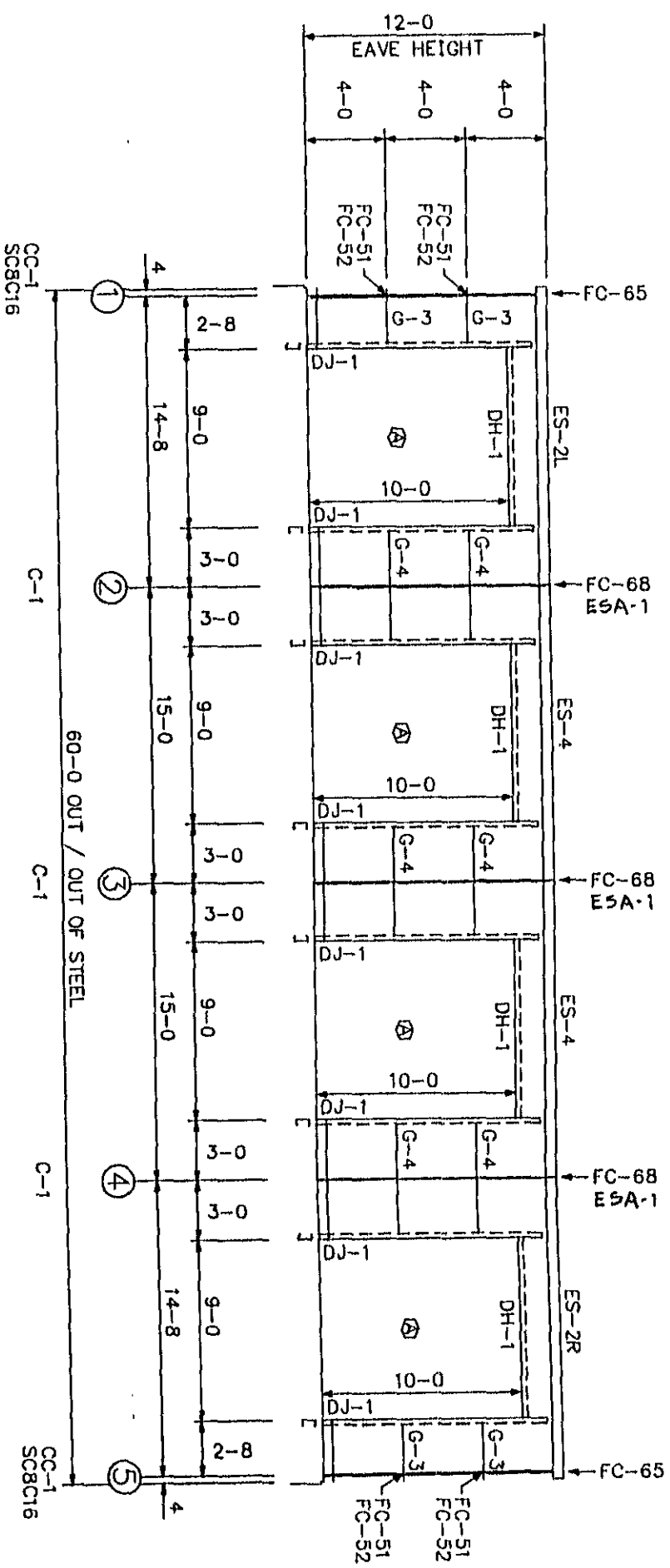
- 1) THE POSITIVE DIRECTIONS FOR THE FRAME COLUMN REACTIONS ARE:
HORIZONTAL: INWARD DIRECTION TO THE BUILDING
VERTICAL: UPWARD DIRECTION TO THE BUILDING
- 2) ALL REACTIONS ARE GIVEN IN KIPS (1000 LBS).
- 3) LOAD COMBINATIONS LISTED ARE NOT COMPLETE FOR FOUNDATION DESIGN. IT MAY CONTROL BY DOING ADDITIONAL COMBINATIONS OTHER THAN LISTED.



WEDGECOR INC.

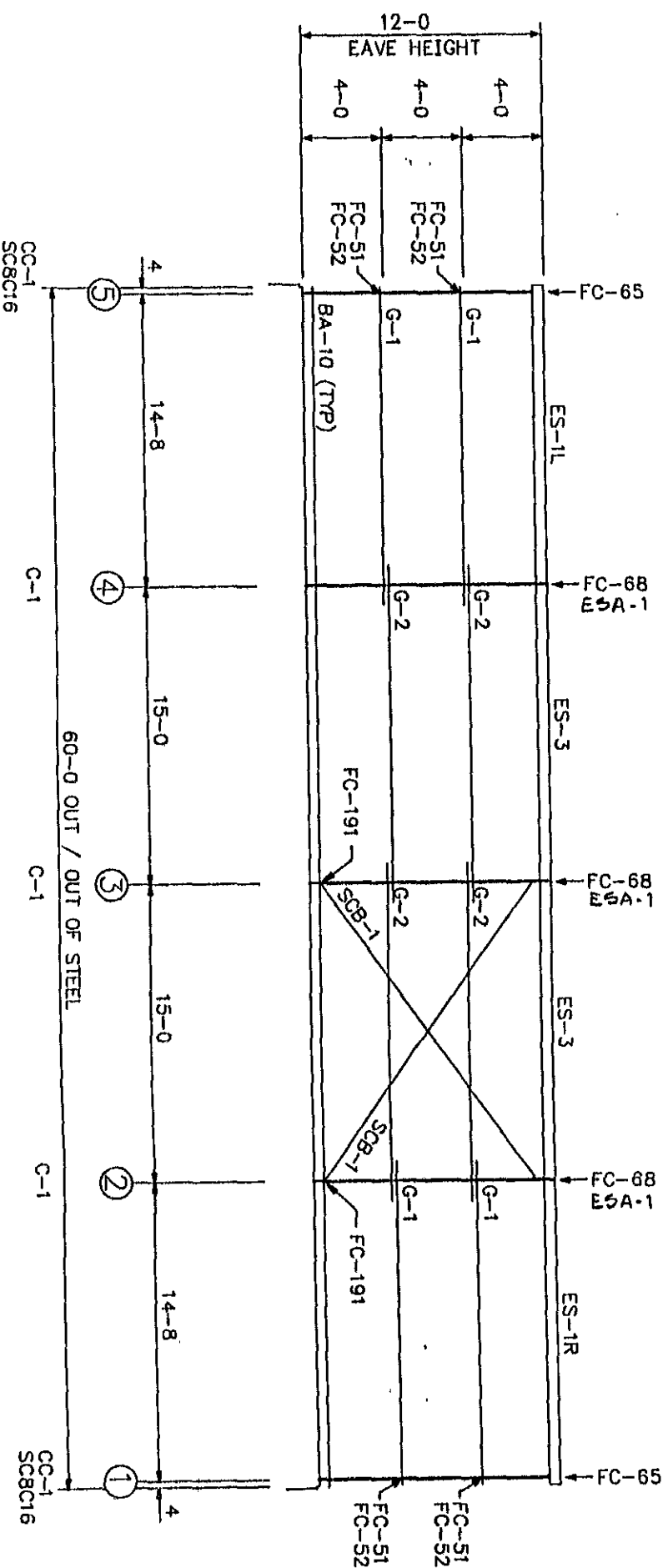
Rever : K. A. MAYHEW CONSTRUCTION Drawn By: GP
Cust. : TOM'S AUTO PARTS 1-17-95
Descr. : 33 x 60 x 12 2:12 Check By: D5
Site. : BALTIMORE, MD 1-19-95
Scale : none
P.O. : W1262

SHEET NO. A3 OF 3

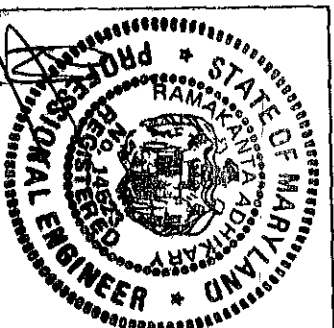


ERECTION REQUIREMENTS
 FOR FRAMING DETAILS SEE G2.
 FOR OVERHEAD DOOR FRAMED
 OPENING DETAILS SEE G3.
 (2) FC-136 AT EACH DOOR
 JAMB TO EAVE STRUT
 CONNECTION.

ELEVATION AT COL. LINE A



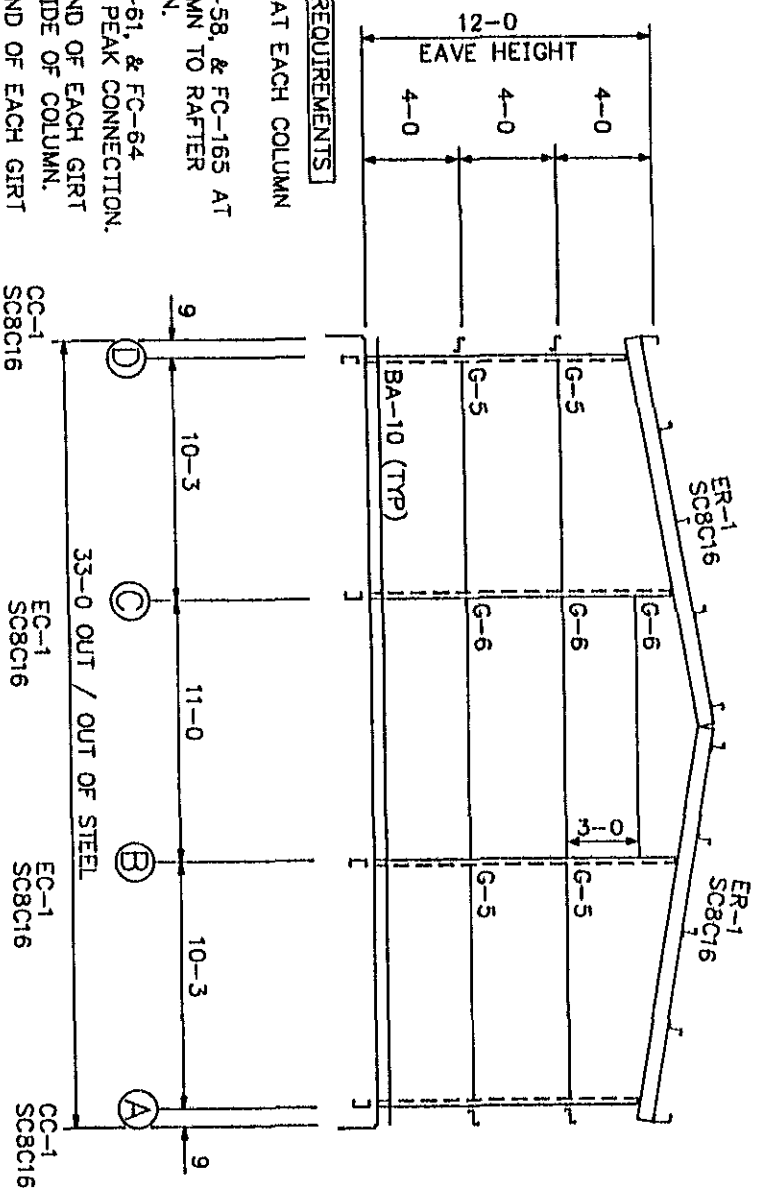
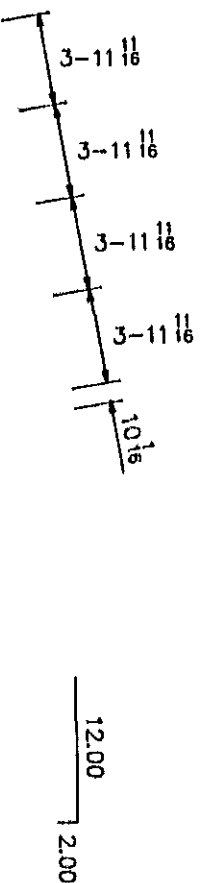
ERECTION REQUIREMENTS
 FOR CABLE BRACING SIZES
 AND DETAILS SEE G2.
 FOR FRAMING DETAILS SEE G2.
 2-0 GIRT LAP.



WEDGECOR INC.
 Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP
 Cust. : TOW'S AUTO PARTS
 Descr. : 33 x 60 x 12 2112 1-17-95
 Site, : BALTIMORE, MD
 Scale : None
 P.O. : #11262

SHEET NO. 21 OF 71

ELEVATION AT COL. LINE D



ERECTION REQUIREMENTS

(2) FC-50 AT EACH COLUMN BASE.

FC-57, FC-58, & FC-165 AT EACH COLUMN TO RAFTER CONNECTION.

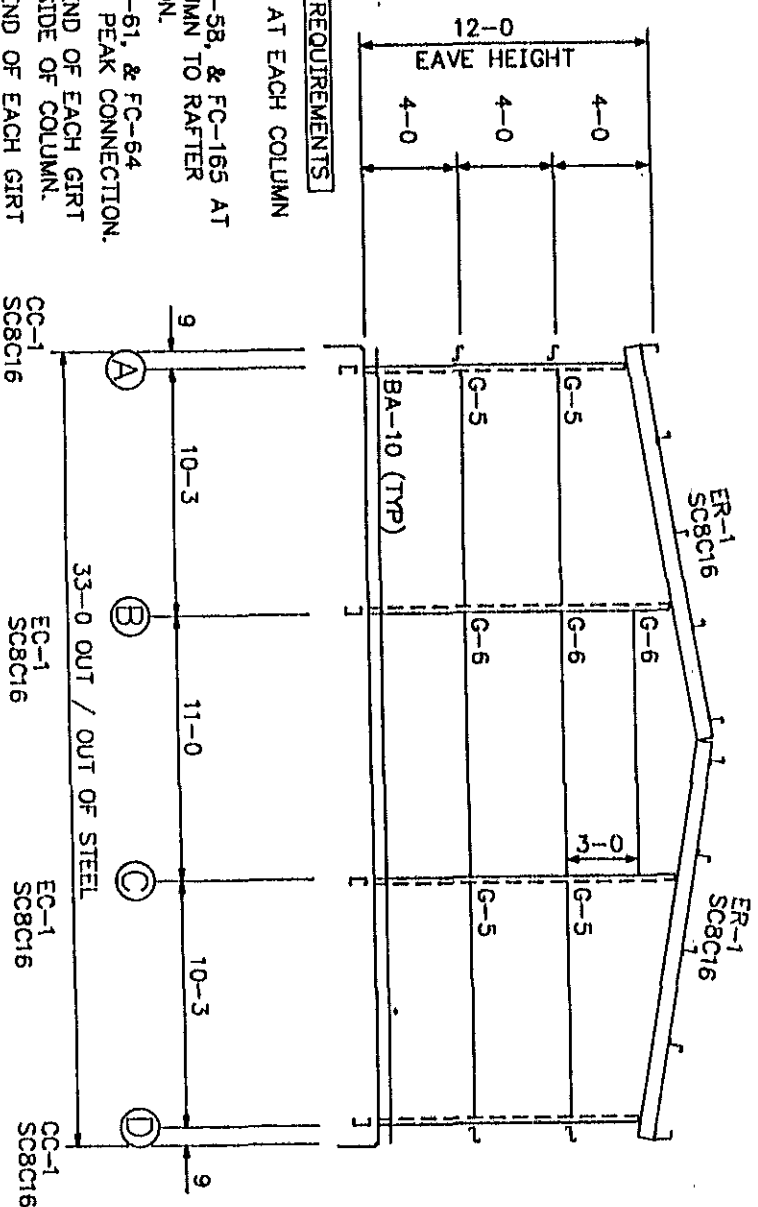
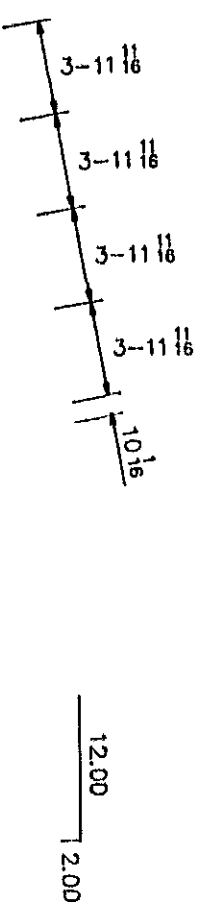
FC-60, FC-61, & FC-64 AT RAFTER PEAK CONNECTION.

FC-4 AT END OF EACH GIRT TO OPEN SIDE OF COLUMN.

FC-7 AT END OF EACH GIRT TO WEB SIDE OF COLUMN.

FOR ENDWALL DETAILS AND BOLT REQUIREMENTS SEE G1.

**ELEVATION AT
FRAME LINE 1**



ERECTION REQUIREMENTS

(2) FC-50 AT EACH COLUMN BASE.

FC-57, FC-58, & FC-165 AT EACH COLUMN TO RAFTER CONNECTION.

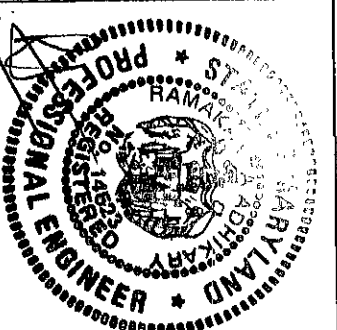
FC-60, FC-61, & FC-64 AT RAFTER PEAK CONNECTION.

FC-4 AT END OF EACH GIRT TO OPEN SIDE OF COLUMN.

FC-7 AT END OF EACH GIRT TO WEB SIDE OF COLUMN.

FOR ENDWALL DETAILS AND BOLT REQUIREMENTS SEE G1.

**ELEVATION AT
FRAME LINE 5**



WEDGECOR INC.

Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP

Cust. : TDM'S AUTO PARTS 1-17-95

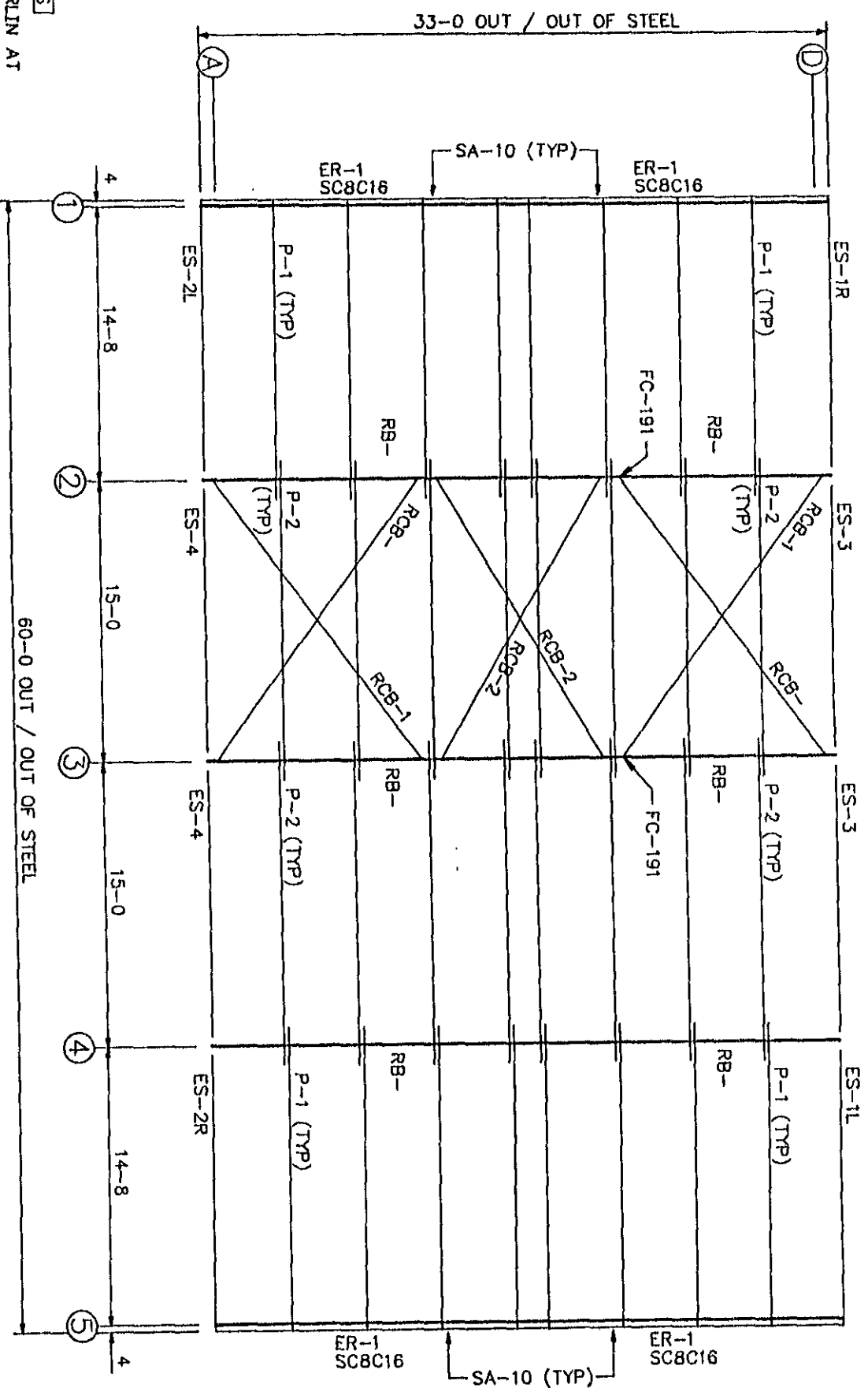
Descr. : 33 x 60 x 12 2:12 Check By: _____

Site. : BALTIMORE, MD

Scale : None

P.O. : W11262

SHEET NO. E2 OF 7



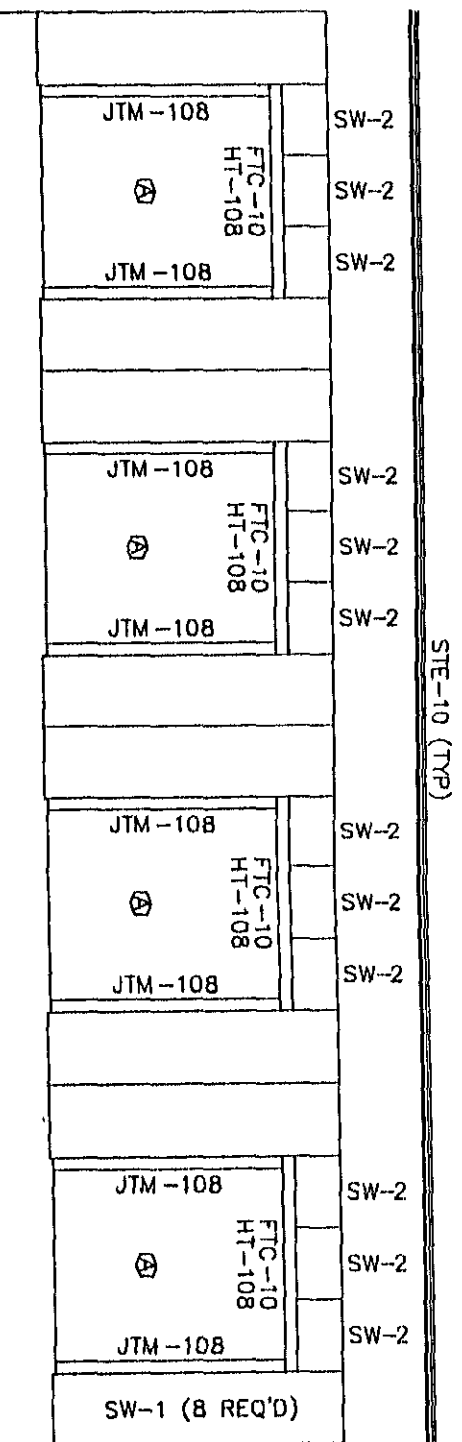
ROOF FRAMING PLAN

ERECTION REQUIREMENTS
 FC-27 UNDER EVERY PURLIN AT
 ENDWALLS.
 FOR CABLE BRACING SIZES
 AND DETAILS SEE G2.
 FOR FRAMING DETAILS SEE G2.
 2-0 PURLIN LAP.

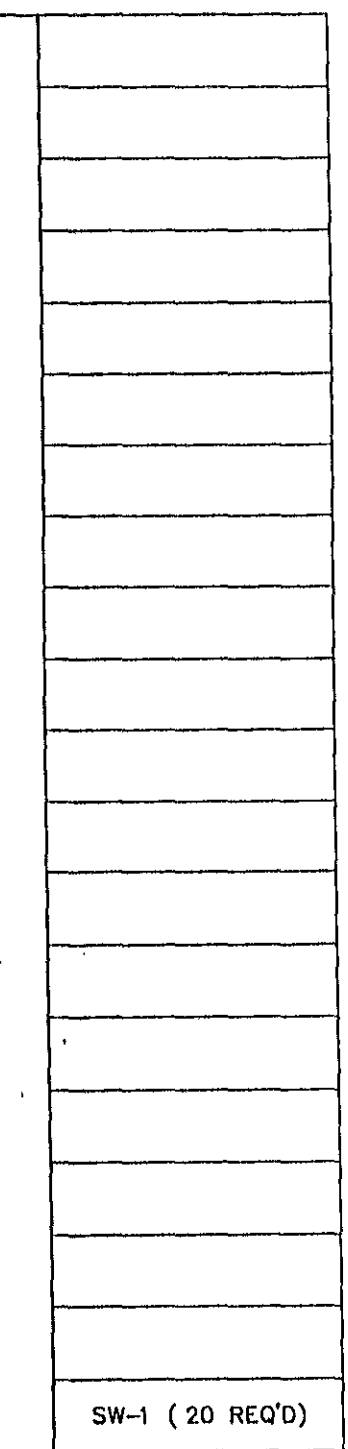


WEDGECOR INC.
 Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP
 Cust. : TOWNS AUTO PARTS 1-17-95
 Descr. : 33 x 60 x 12 2:12 Check By:
 Site. : BALTIMORE, MD
 Scale : None
 P.O. : #11262

BEGIN SHEETING STARTING
CENTERLINE OF HI-RIB
AT STEEL LINE.
FOR TRIM DETAILS SEE G4.
FOR SCREW PATTERNS SEE G5.

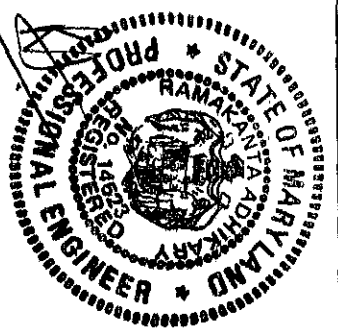
ELEVATION AT COL. LINE A

STE-10 (TYP)



BEGIN SHEETING STARTING
CENTERLINE OF HI-RIB
AT STEEL LINE.
FOR TRIM DETAILS SEE G4,
FOR SCREW PATTERNS SEE G5.

ELEVATION AT COL. LINE D



WEDGECOR INC.

By: K. A. MAYHEW CONSTRUCTION, Inc.

Cust. : TOM'S AUTO PARTS
1-17-95

Desct. : 33 x 50 x 12 2:12 Check B3:_____

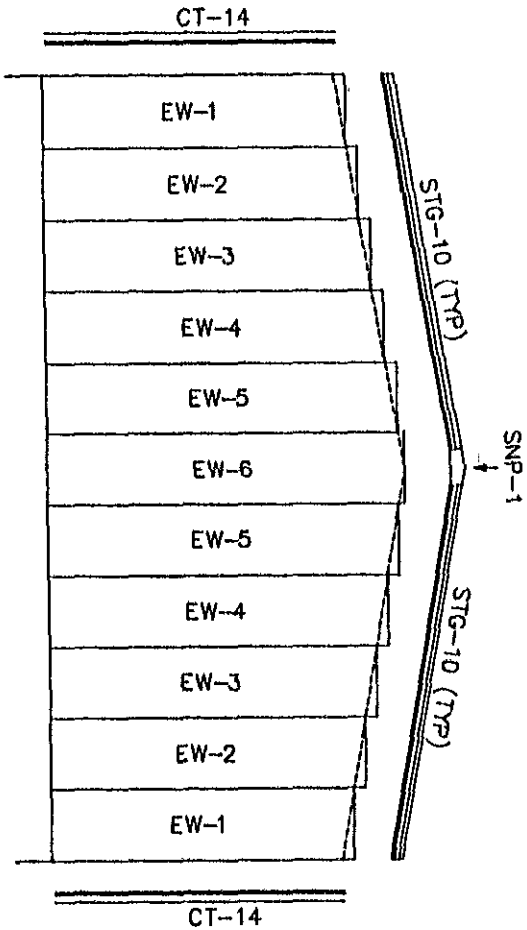
Site, : BALTIMORE, MD _____

Scale : None

SHEET NO. E-4 OF 7

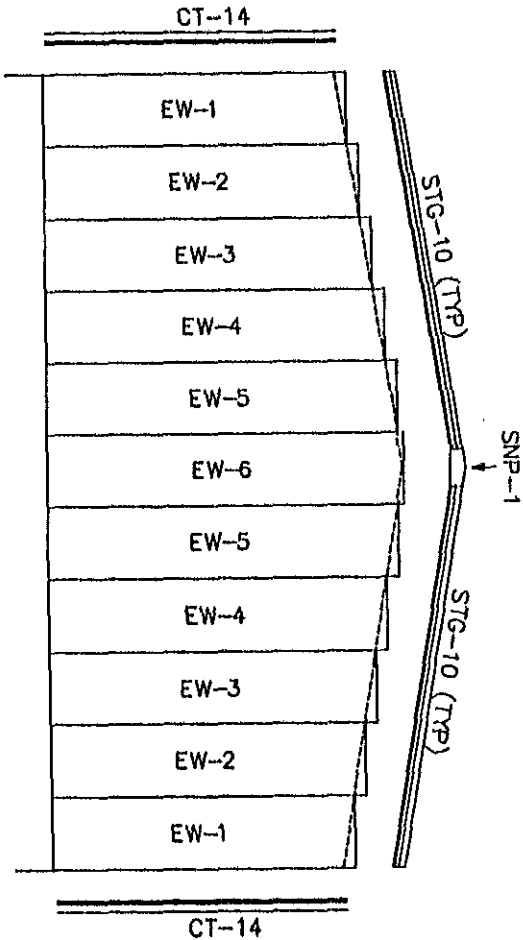
SCHEDULE OF ACCESSORIES

NO. RECD	DESCRIPTION	LOCATION
4	9'-0" x 10'-0" FRAMED OPENING w/ FULL TRIM	Ⓢ



ELEVATION AT
FRAME LINE 1

ERECTION REQUIREMENTS
BEGIN SHEETING STARTING
CENTERLINE OF HI-RIB
AT STEEL LINE.
FIELD CUT PANELS AS REQ'D
AT GABLE.
FOR TRIM DETAILS SEE G4.
FOR SCREW PATTERNS SEE G5.



ELEVATION AT
FRAME LINE 1

ERECTION REQUIREMENTS
BEGIN SHEETING STARTING
CENTERLINE OF HI-RIB
AT STEEL LINE.
FIELD CUT PANELS AS REQ'D
AT GABLE.
FOR TRIM DETAILS SEE G4.
FOR SCREW PATTERNS SEE G5.



WENGCOR INC.

Prep'd : K. A. MAYHEW CONSTRUCTION Drawn By: GP
Cust. : TOM'S AUTO PARTS 1-17-95
Desct. : 33 x 60 x 12 2:12 Check By: _____
Site. : BALTIMORE, MD
Scale : None
P.O. : W11262

SHEET NO. 5 OF 7

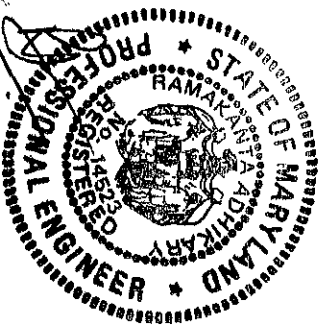
RS-	*	RS-	RS-	*	RS-
RS-	*	RS-	RS-	*	RS-
RS-	*	RS-	RS-	*	RS-
RS-	*	RS-	RS-	*	RS-
RS-1 (16 REQ'D)			RS-1 (16 REQ'D)		

ERECTION REQUIREMENTS

BEGIN SHEETING STARTING
CENTERLINE OF HI-RIB
AT STEEL LINE.

20 RIDGE CAPS (RC-1) AT PEAK.
* DENOTES (8) 3'-0" x 5'-8"
SKYLIGHTS.
FOR SCREW PATTERNS SEE G5.

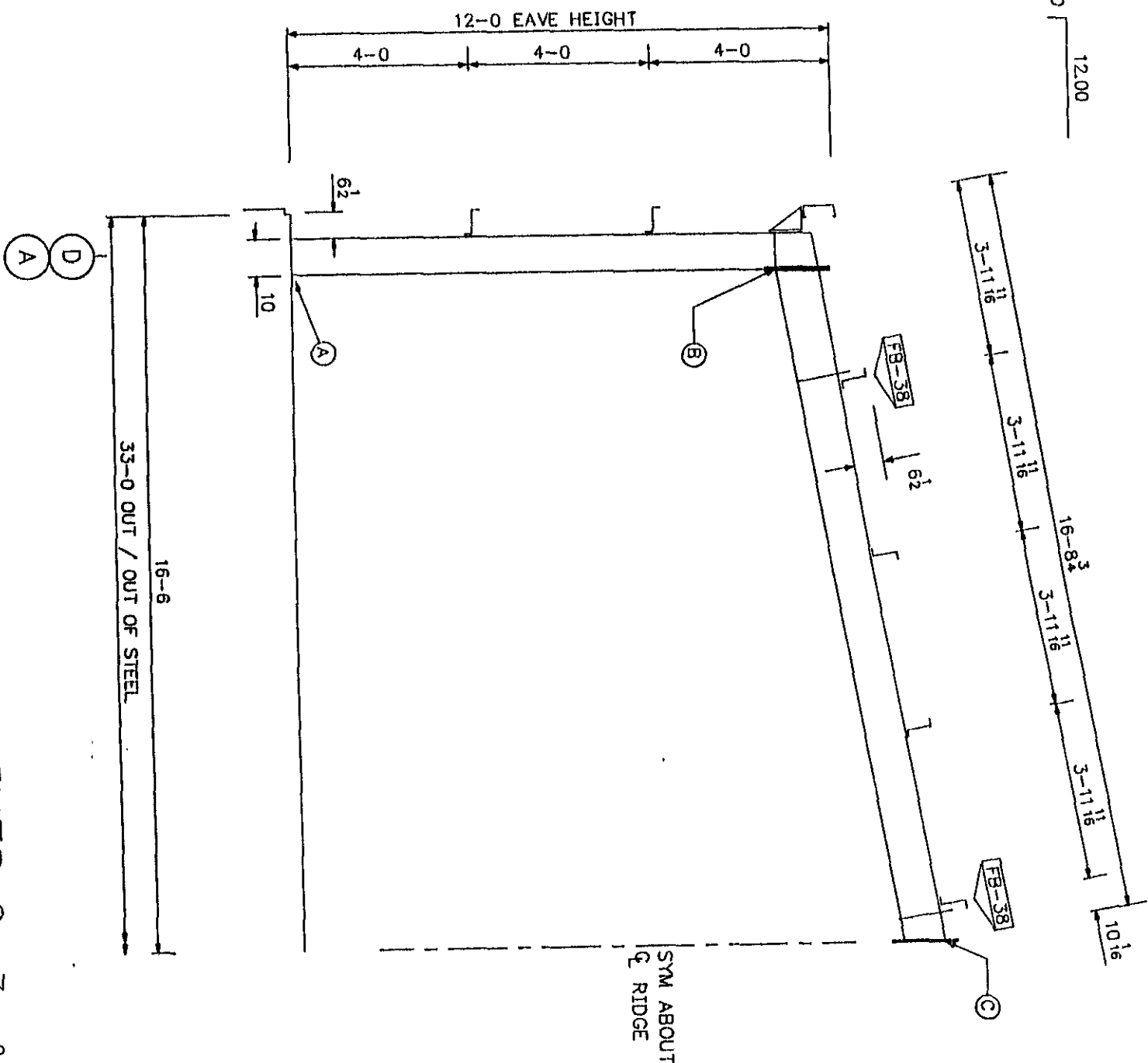
ROOF SHEETING PLAN



WEDGECOR INC.
By: K. A. MAYHEW CONSTRUCTION
Cust.: TOM'S AUTO PARTS
Descr.: 33 x 60 x 12 2:12
Site.: BALTIMORE, MD
Scale : None
P.D. : W11262
SHEET NO. 616 OF 7

GP
1-17-95
Check By: _____

2.00 12.00



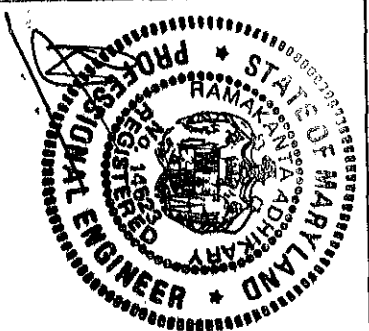
CROSS SECTION AT FRAME LINES 2, 3, & 4

PLATE SIZE TABLE

SPLICE BOLT TABLE

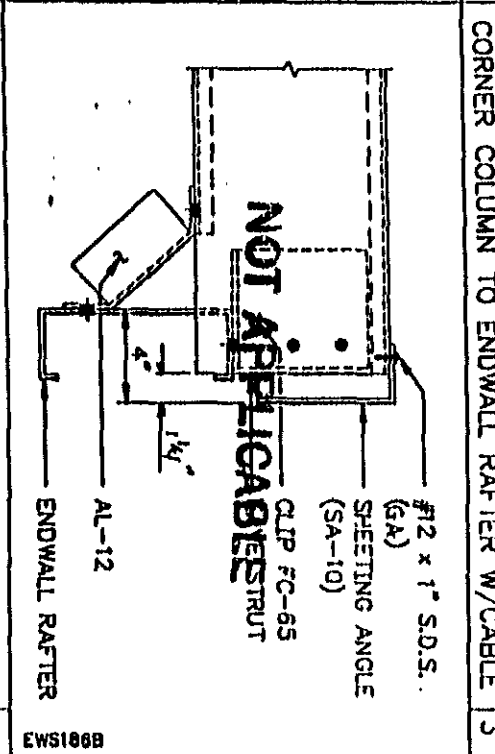
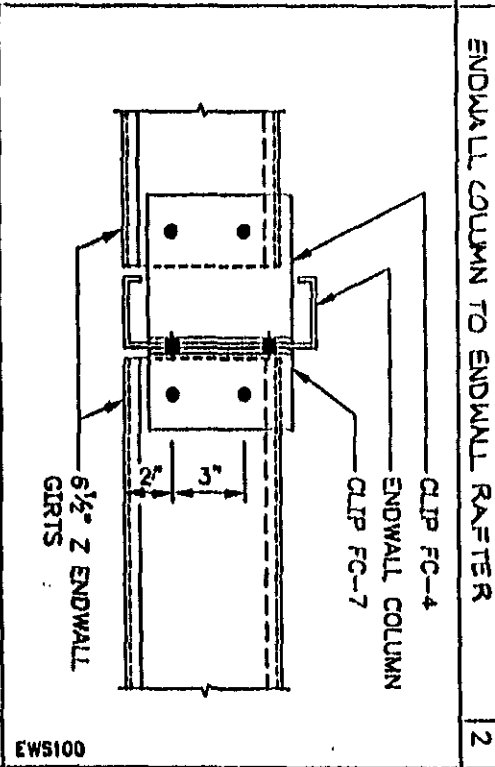
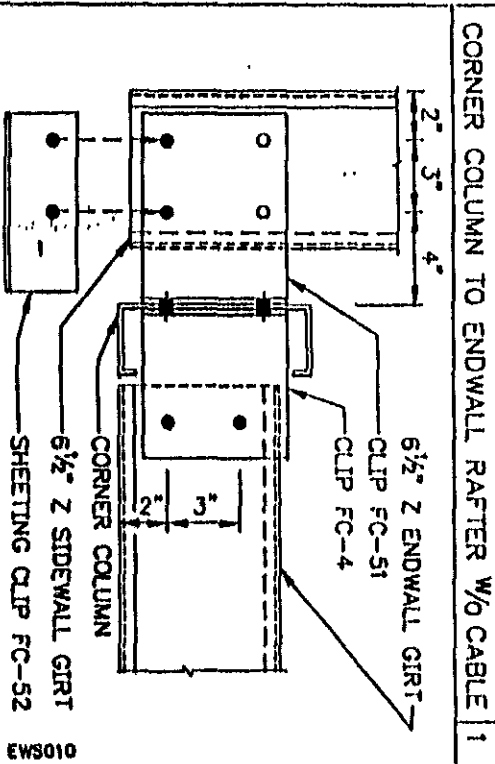
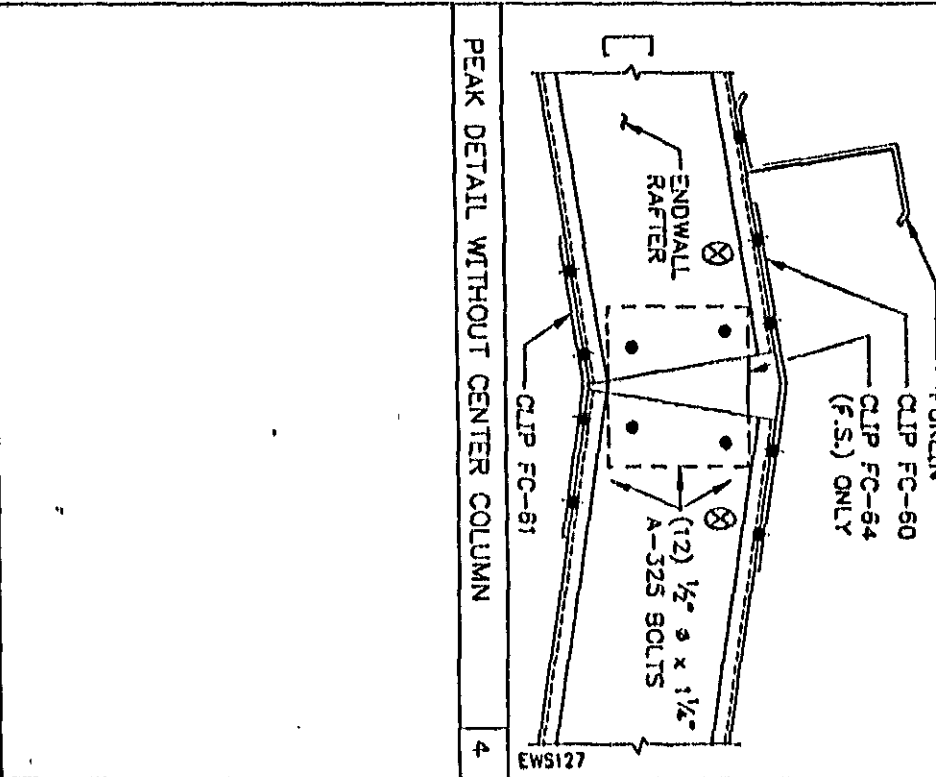
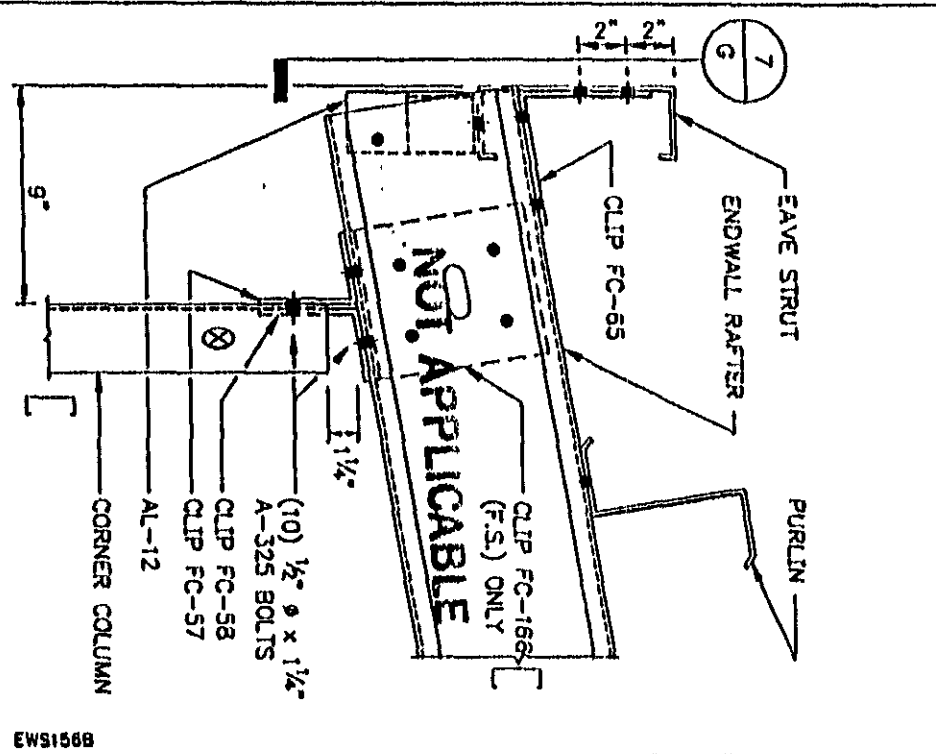
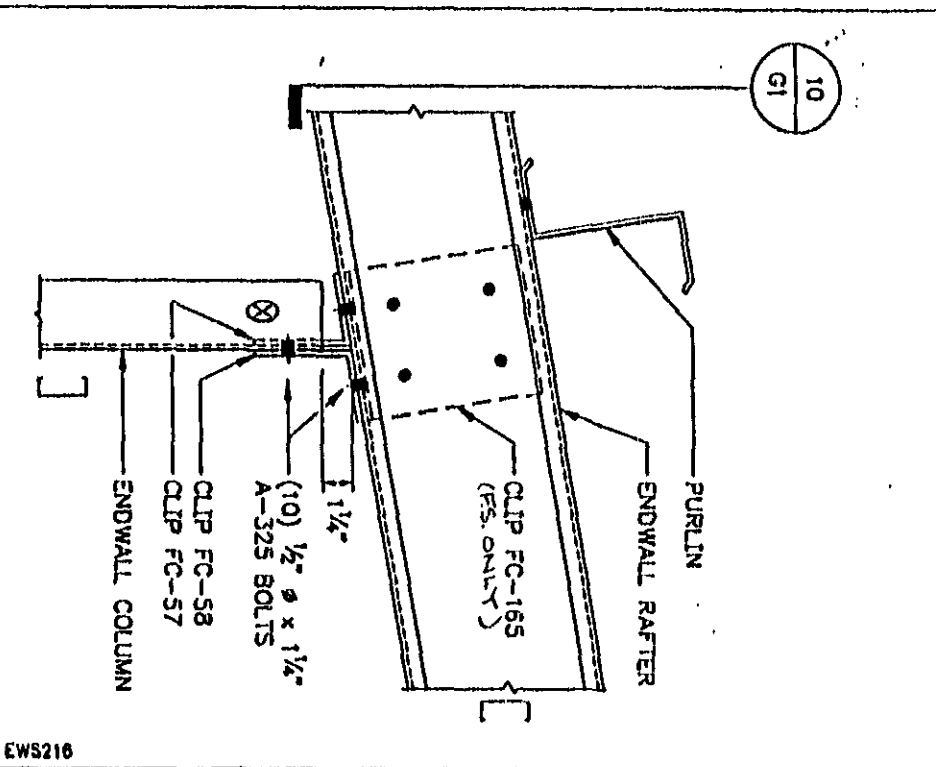
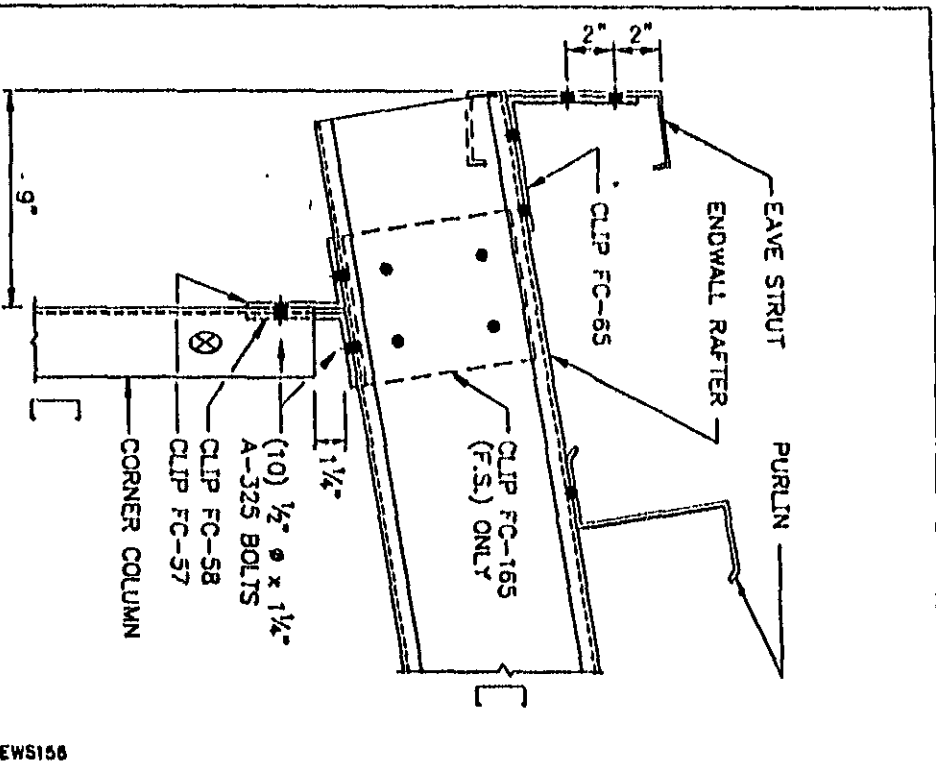
CONN.	LEFT SIDE	RIGHT SIDE	SPLICE	QTY	SIZE	TYPE
A	5 X 3/8 X 10	N/A	A	2	3/4 X 1-5/8	A307 B&N
B	5 X 1/2 X 1-5/8	5 X 1/2 X 1-5/8	B	8	3/4 X 2	A325 B&N
C	N/A	N/A	C	8	3/4 X 2	A325 B&N

VERTICAL CLEARANCE AT LEFT HAUNCH = 10'-8 7/8
VERTICAL CLEARANCE AT PEAK = 12'-11 7/8
HORIZONTAL CLEARANCE HAUNCH TO PEAK = 15'-0 1/16



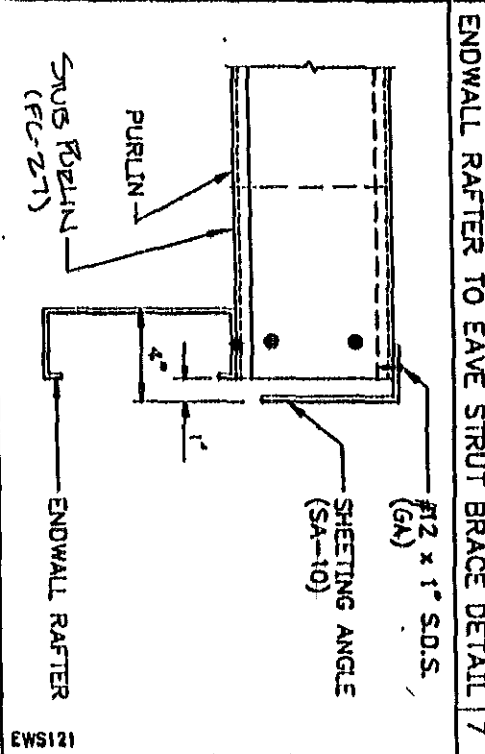
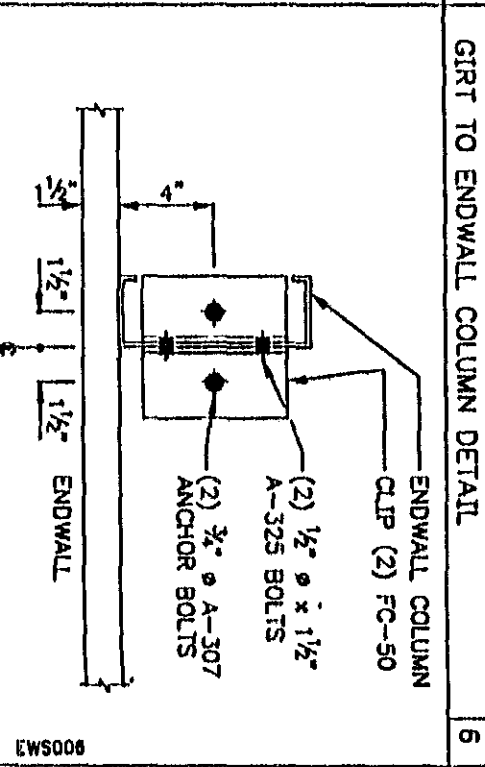
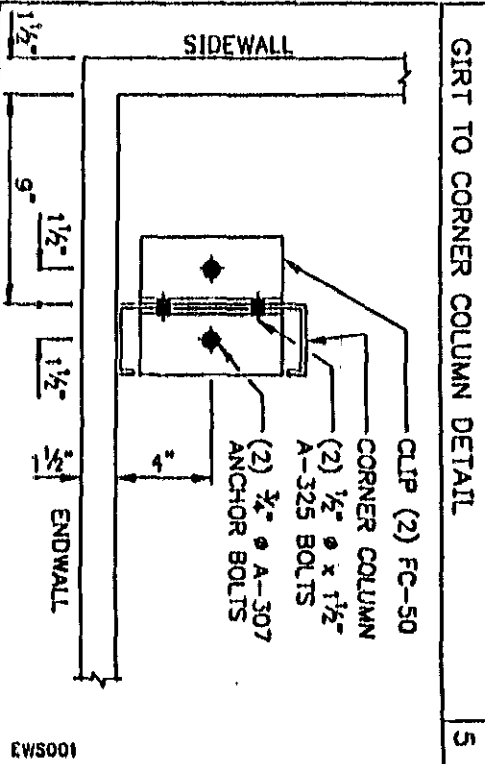
WEDGECOR INC.

Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP
Cust. : TOM'S AUTO PARTS
Descr. : 33 X 50 X 12 2:12 Check By: 1-17-75
Site. : BALTIMORE, MD
Scale : None
P.O. : W1262
SHEET NO. E7 OF 7



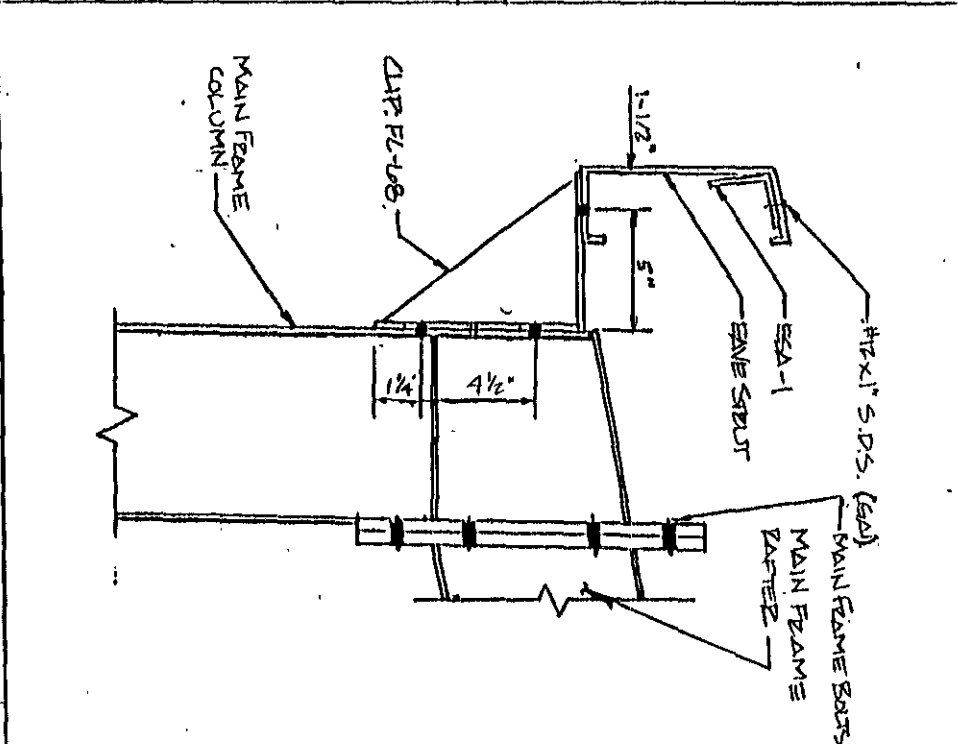
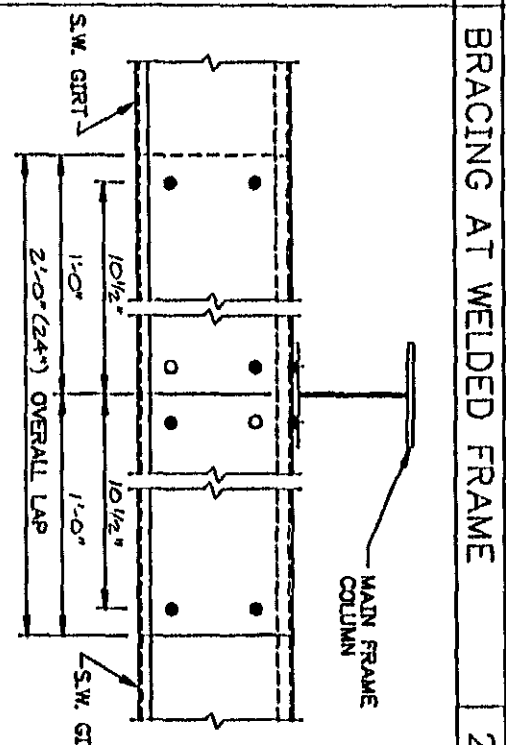
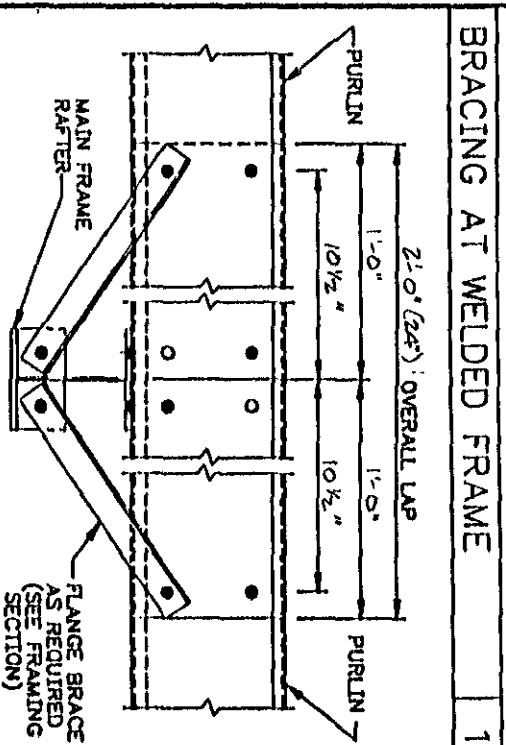
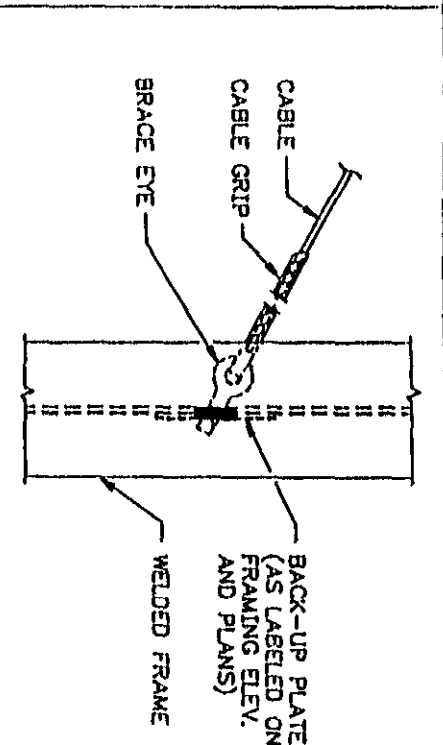
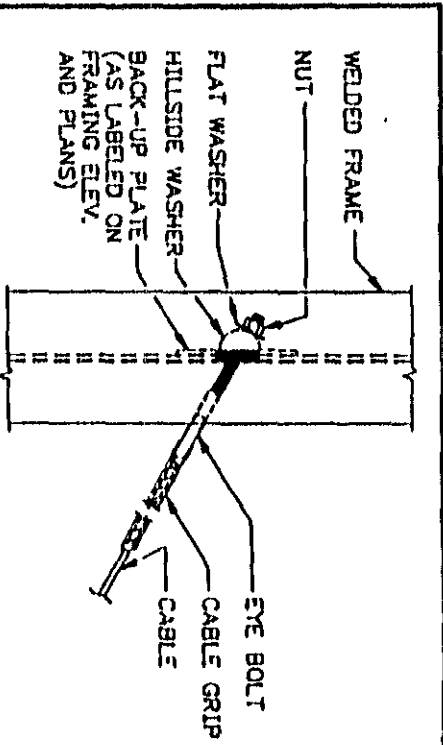
GENERAL NOTES:

- 1.) ALL BOLTS TO BE 1/2" ϕ x 1-1/4" A-307 (U.N.)
- 2.) VIEWS ARE FROM OUTSIDE OF BUILDING (U.N.)
- 3.) ALL DIMENSIONS ARE \pm .
- 4.) \otimes MATCH SHOP MARK.
- 5.) SEE CROSS SECTION OF MAIN FRAME FOR PURLIN ORIENTATION.



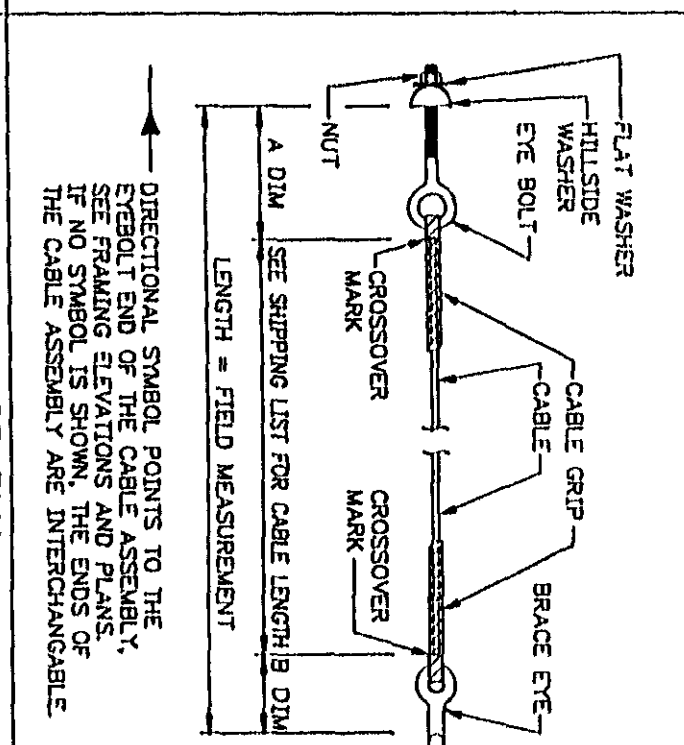
WEDGECOR INC.
 Buyer : K. A. MAYHEW CONSTRUCTION
 Cust. : TONY'S AUTO PARTS
 Descr. : 33 x 60 x 12 2112
 Site : BALTIMORE, MD
 Scale : None
 P.O. : #11262

Check By: _____
 1-17-95
 SHEET NO. 41 OF 5



REF. "A"

CABLE Ø	5/16"	3/8"	1/2"
EYE BOLT	5/8"	3/4"	1/2"
"A" DIM.	11"	10"	10"
"B" DIM.	6"	7"	9"
TOTAL (-)	17"	18"	23"

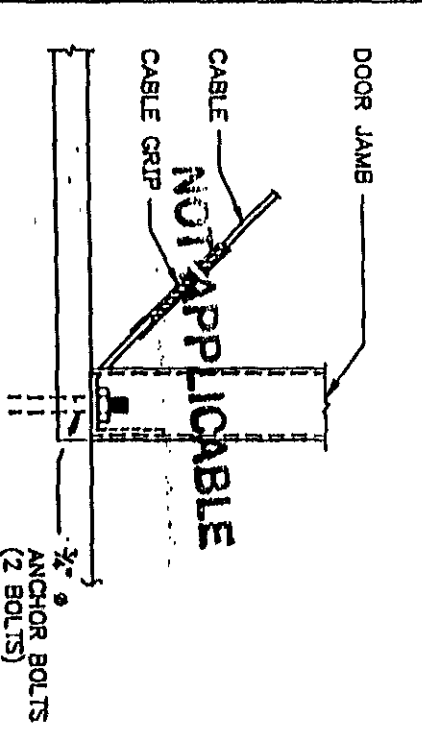
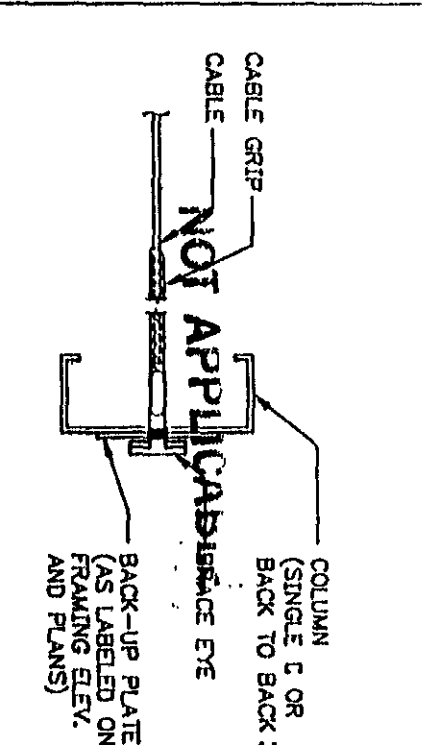
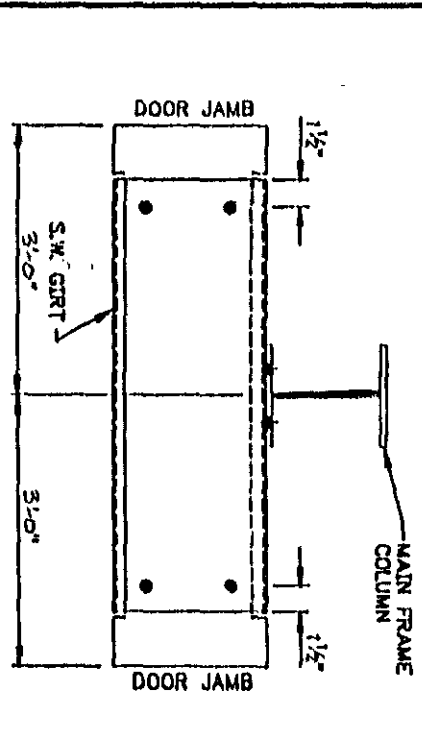


PURLIN OVERLAP (8) BOLTS (9) BOLTS (10) BOLTS (11) BOLTS

GIRT OVERLAP (8) BOLTS (9) BOLTS (10) BOLTS (11) BOLTS

MF TO EAVE STRUT (6-1/2 x 2 CURTS)

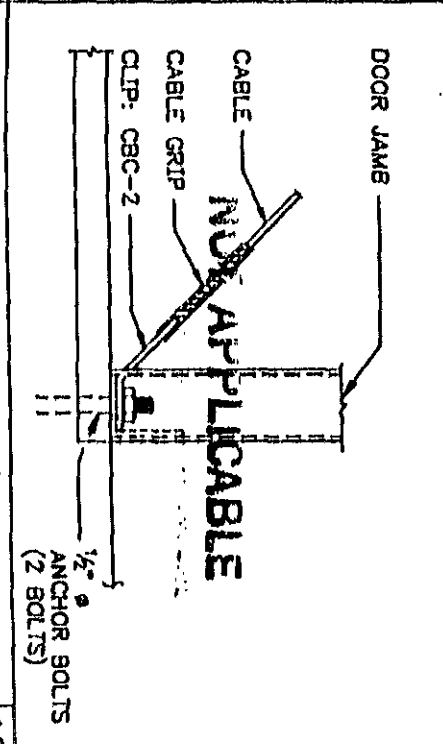
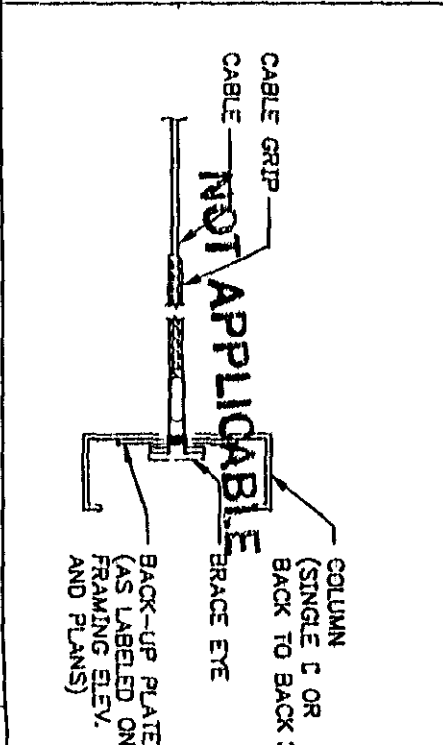
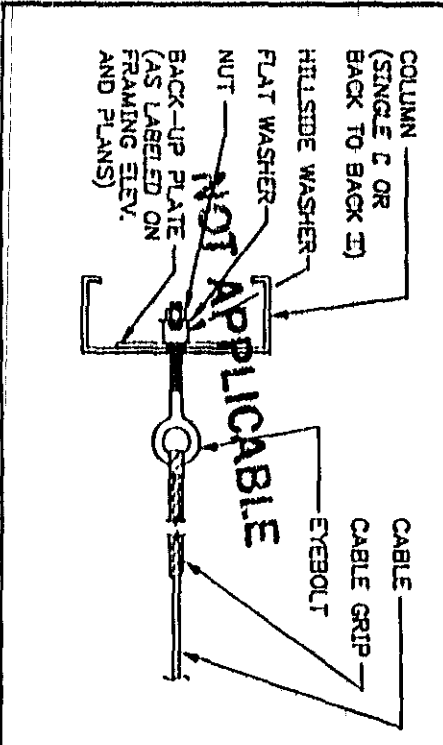
CABLE BRACING ASSEMBLY



GIRT DETAIL (NO LAP) (4) BOLTS (5) BOLTS (6) BOLTS (7) BOLTS

BRACING AT COLUMN

BRACING AT DOOR JAMB

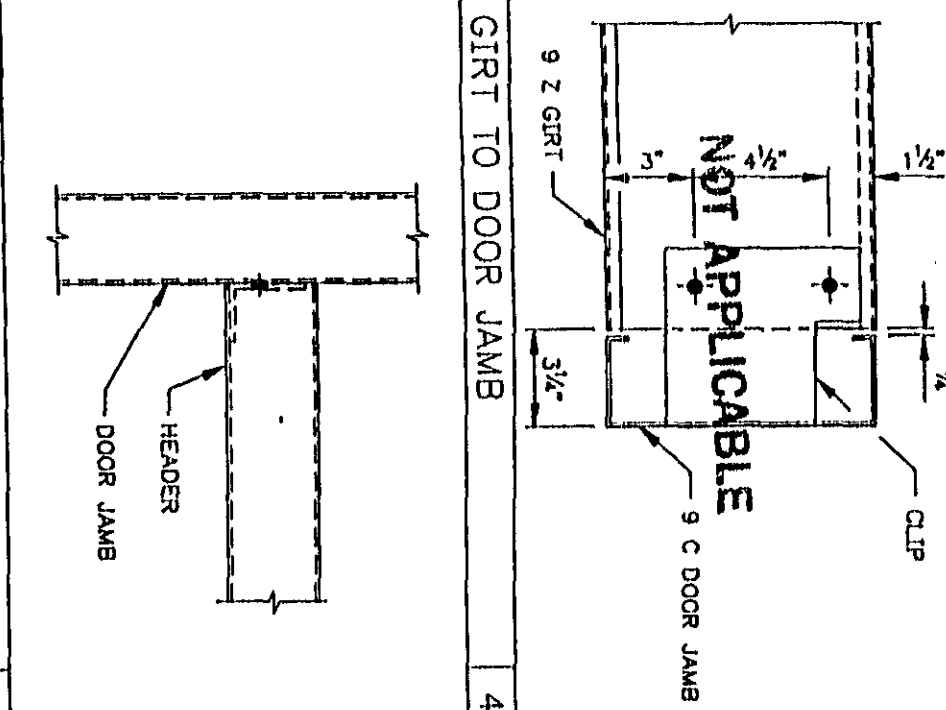
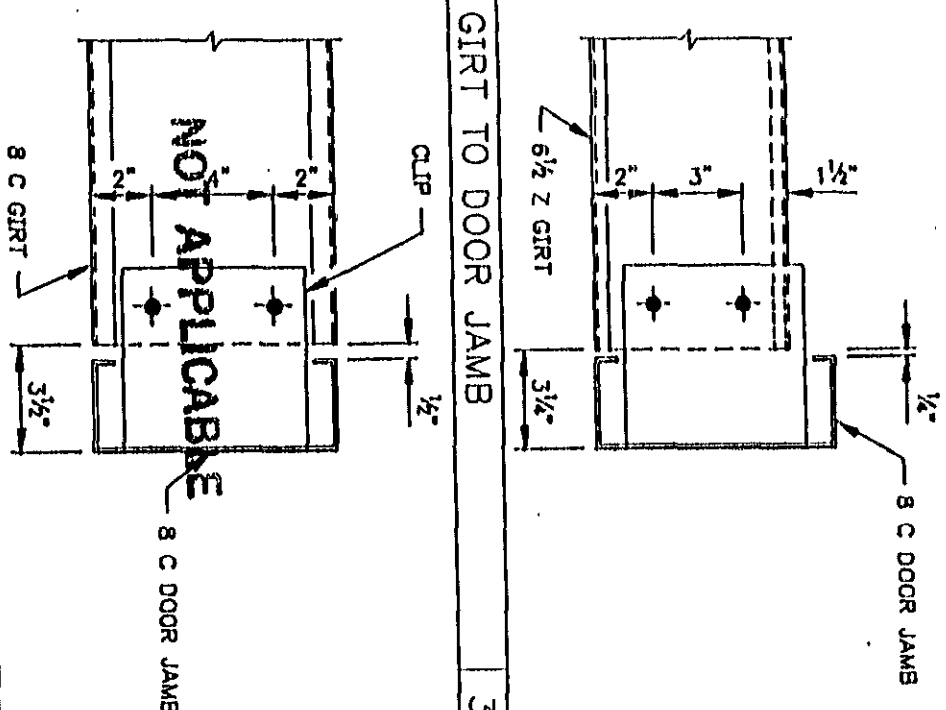
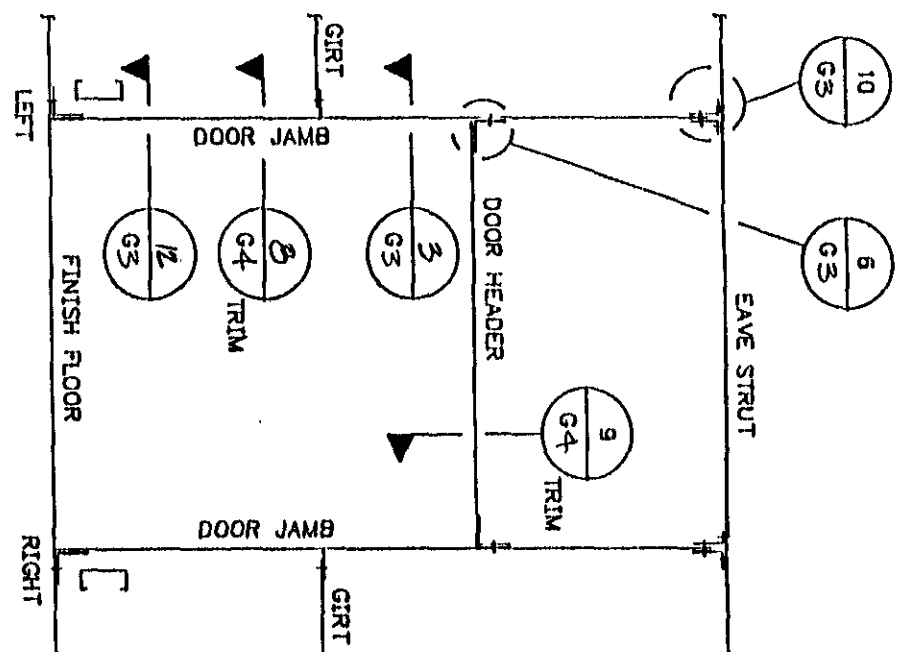
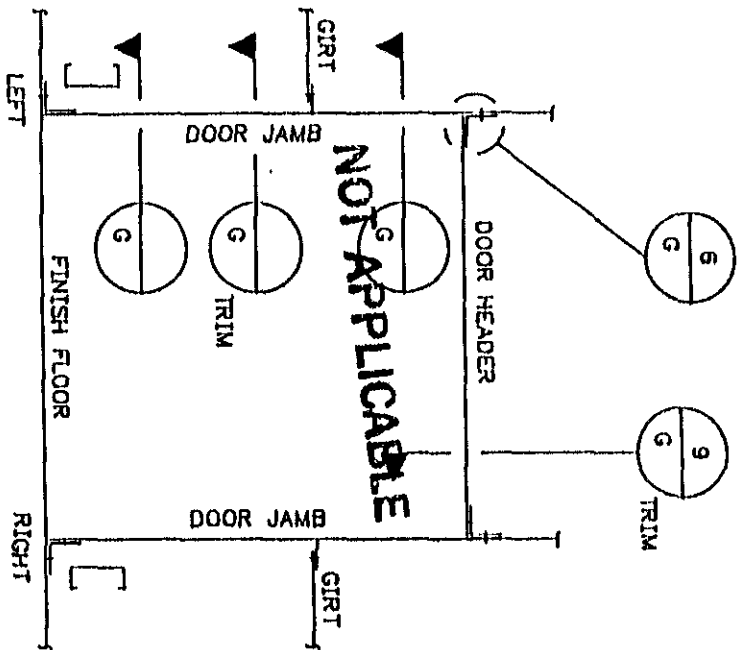


GENERAL NOTES:

- 1) ALL BOLTS TO BE 1/2" Ø x 1-1/4" A307 (U.N.)
- 2) VIEWS ARE FROM OUTSIDE OF BUILDING (U.N.)
- 3) ALL DIMENSIONS ARE ±.

WEDGECOR INC.
 Buyer : K. A. HAYHEM CONSTRUCTION Drawn By: GP
 Cust. : TOW'S AUTO PARTS 1-17-95
 Descr. : 33 x 60 x 12 2412 Check By: _____
 Site : BALTIMORE, MD
 Scale : None
 P.O. : W11252
 SHEET NO. 42 OF 5

NOTE: FOR DOOR JAMB TO ENDWALL
RAFTER SEE ENDWALL DETAILS.

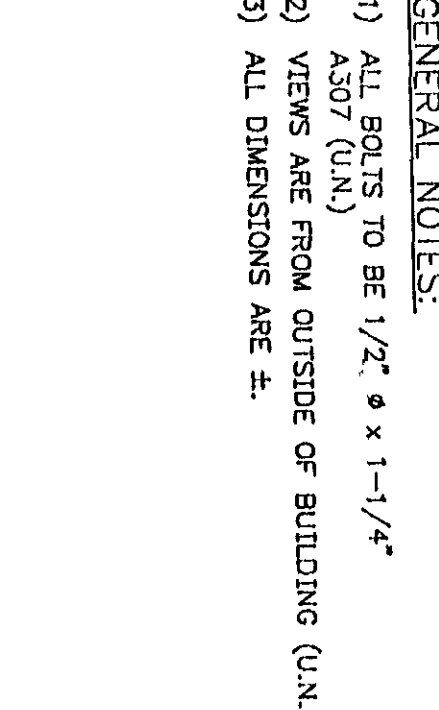
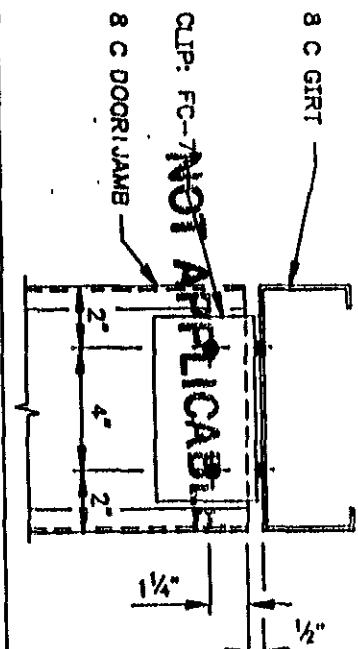
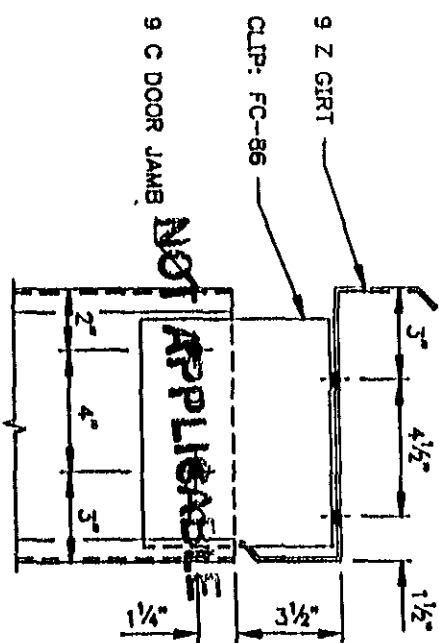
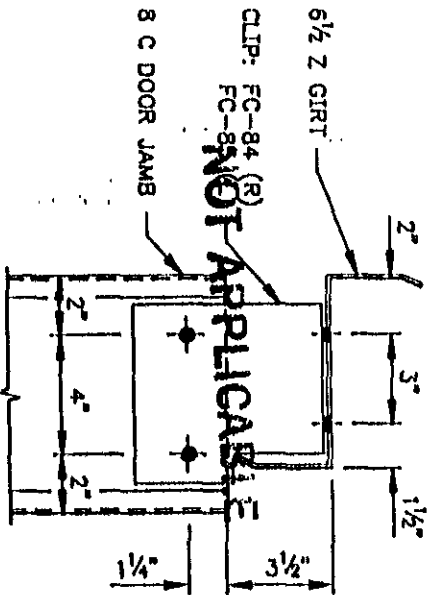


DOOR JAMB TO E.W. RAFTER

DOOR JAMB TO EAVE STRUT

GIRT TO DOOR JAMB

DOOR HEADER TO DOOR JAMB

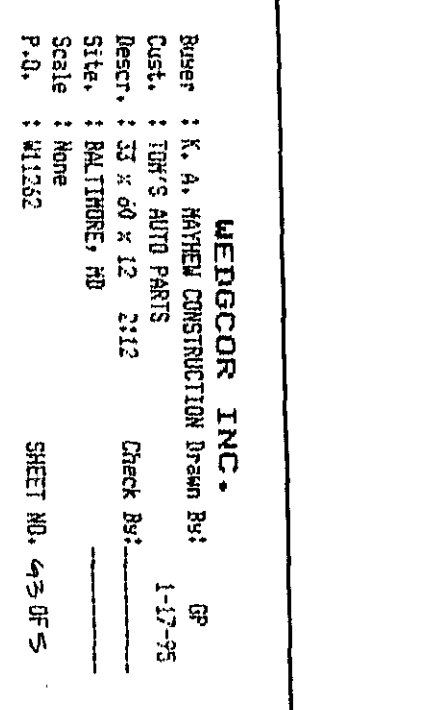
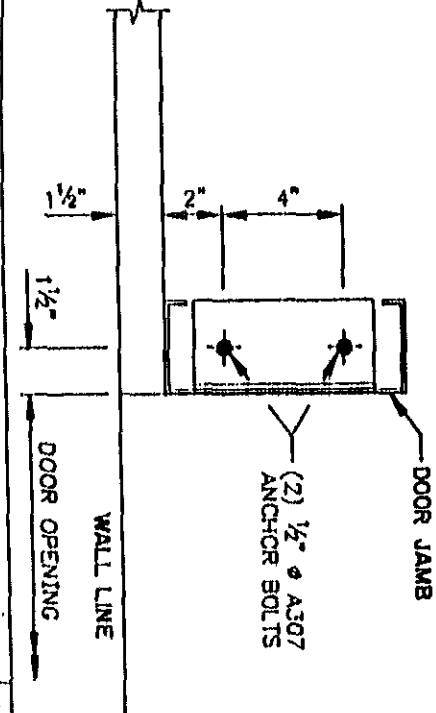
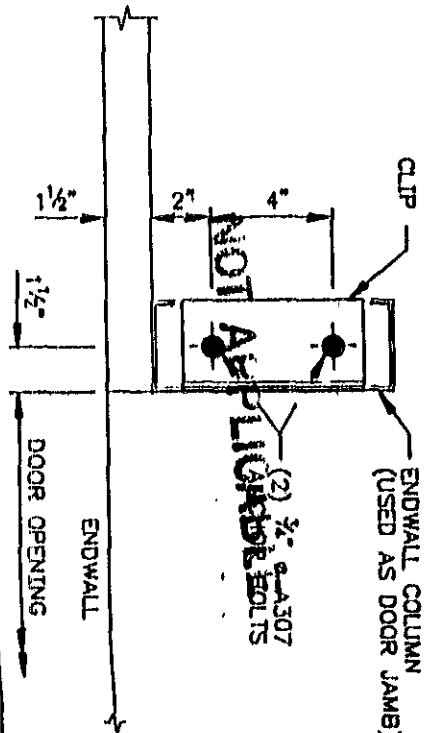
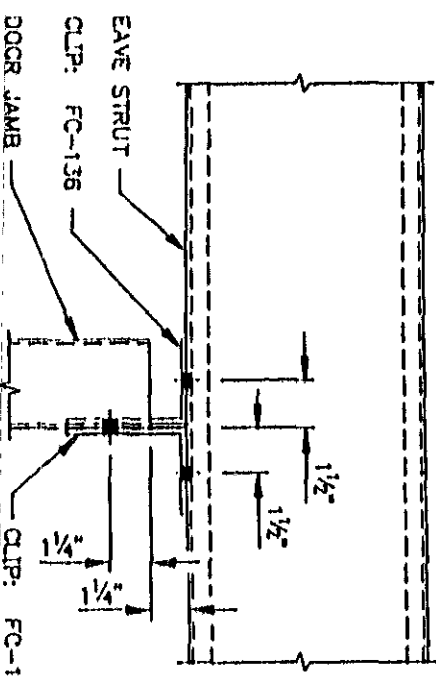


DOOR JAMB TO GIRT

DOOR JAMB TO GIRT

DOOR JAMB TO GIRT

DOOR JAMB TO GIRT

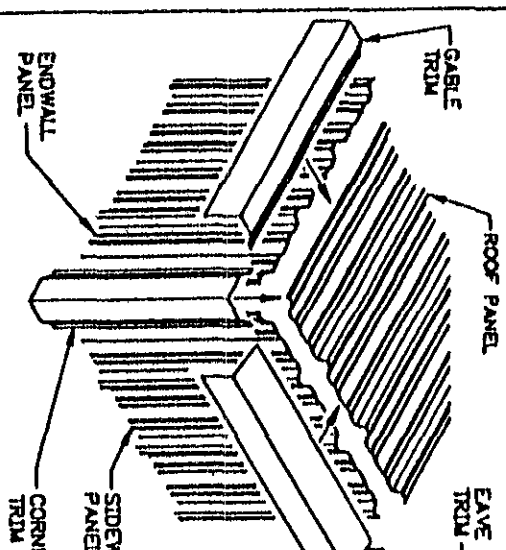
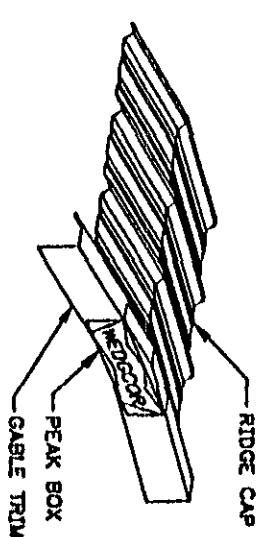
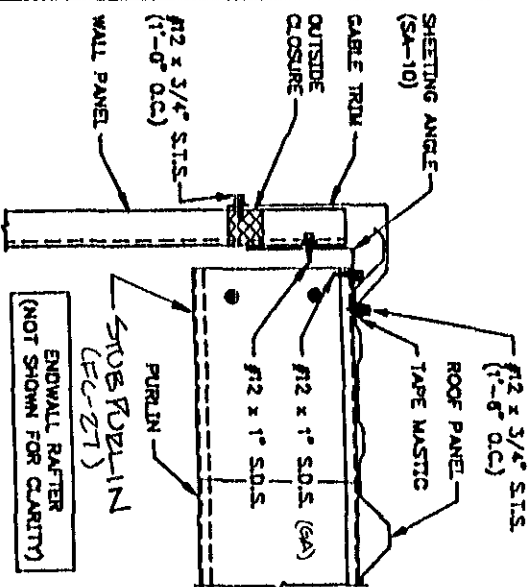
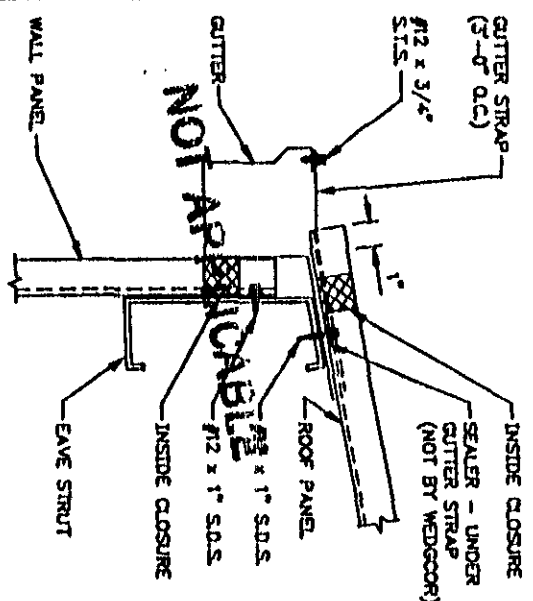
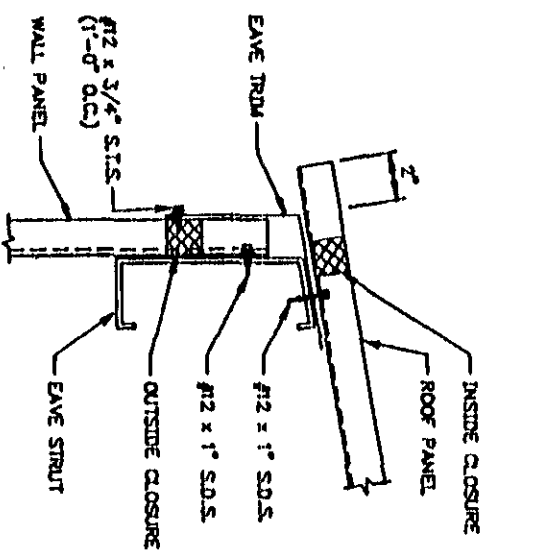


GENERAL NOTES:

- 1) ALL BOLTS TO BE 1/2" ϕ x 1-1/4" A307 (U.N.)
- 2) VIEWS ARE FROM OUTSIDE OF BUILDING (U.N.)
- 3) ALL DIMENSIONS ARE \pm .

WEDGECOR INC.

Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP
Cust. : TOW'S AUTO PARTS 1-17-95
Descr. : 33 x 60 x 12 2:12 Check By: _____
Site : BALTIMORE, MD
Scale : None
P.O. : W11262 SHEET NO. 4 OF 5



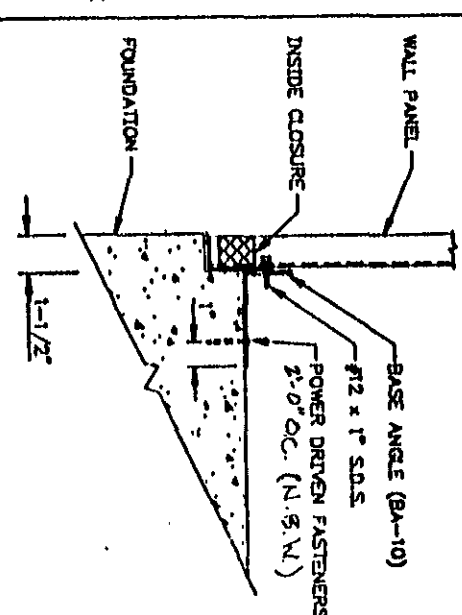
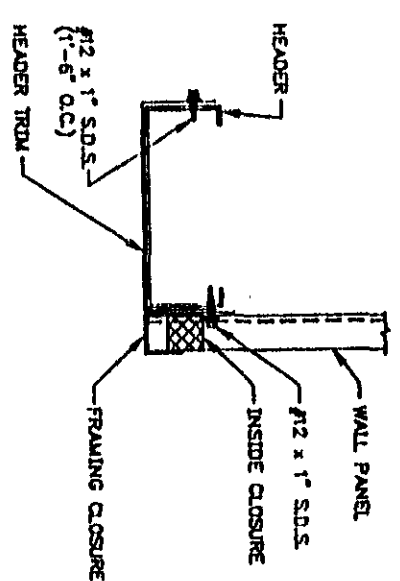
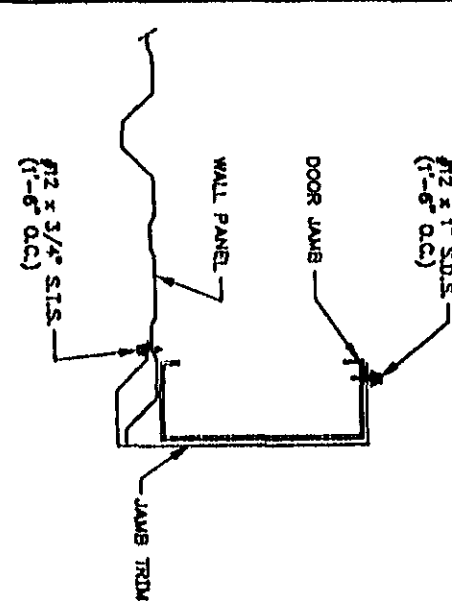
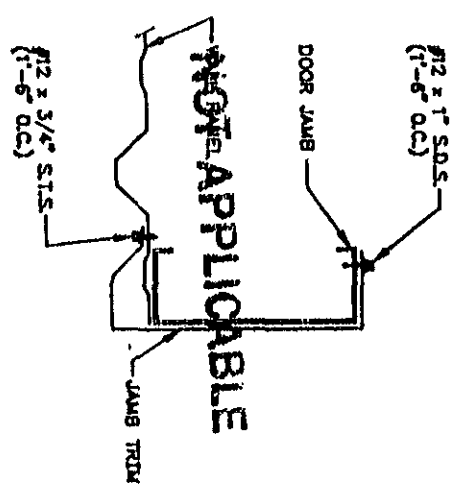
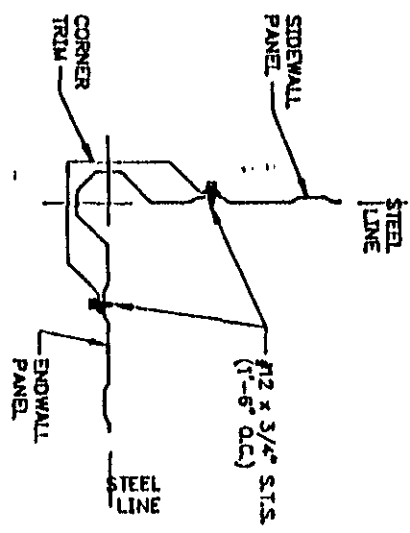
EAVE TRIM SECTION

GUTTER SYSTEM SECTION

GABLE TRIM SECTION

PEAK BOX

CORNER TRIM: (PEAK BLDG)



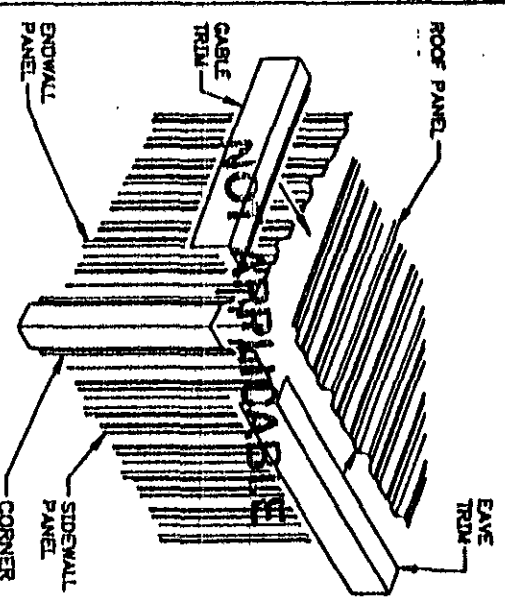
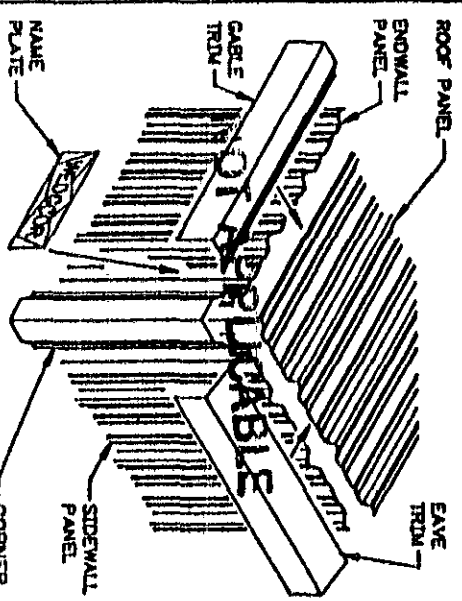
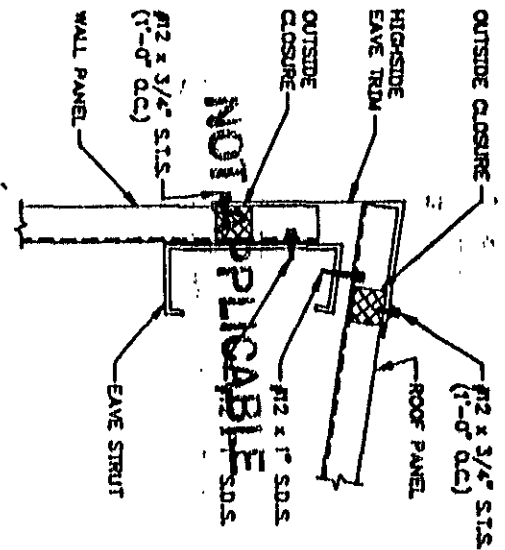
TYPICAL CORNER DETAIL

DOOR JAMB (6\"/>

DOOR JAMB (1\"/>

HEADER TRIM

BASE SHEETING ANGLE



HIGHSIDE EAVE TRIM

CORNER TRIM (LOWSIDE)

CORNER TRIM (HIGHSIDE)

WEDGOCOR INC.

Buyer : K. A. MAYHEW CONSTRUCTION Drawn By: GP
 Cust. : TOW'S AUTO PARTS 1-17-95
 Descr. : 33 x 60 x 12 212 Check By: _____
 Site : BALTIMORE, MD
 Scale : None
 P.O. : W11262 SHEET NO. 4 OF 5

SHEETING DESCRIPTION



A

ROOF & WALL PRIMARY FASTENER SPACING AT PANEL END LAPS, RIDGE CAP, EAVE STRUT, SHEETING ANGLE, & BASE ANGLE.

B

FASTENER SPACING AT INTERMEDIATE GIRTS.

FASTENER SPACING AT INTERMEDIATE PURLINS

HI-RIB PANEL SECTION

LEGEND

CABLE SIZES

NOMENCLATURE

△

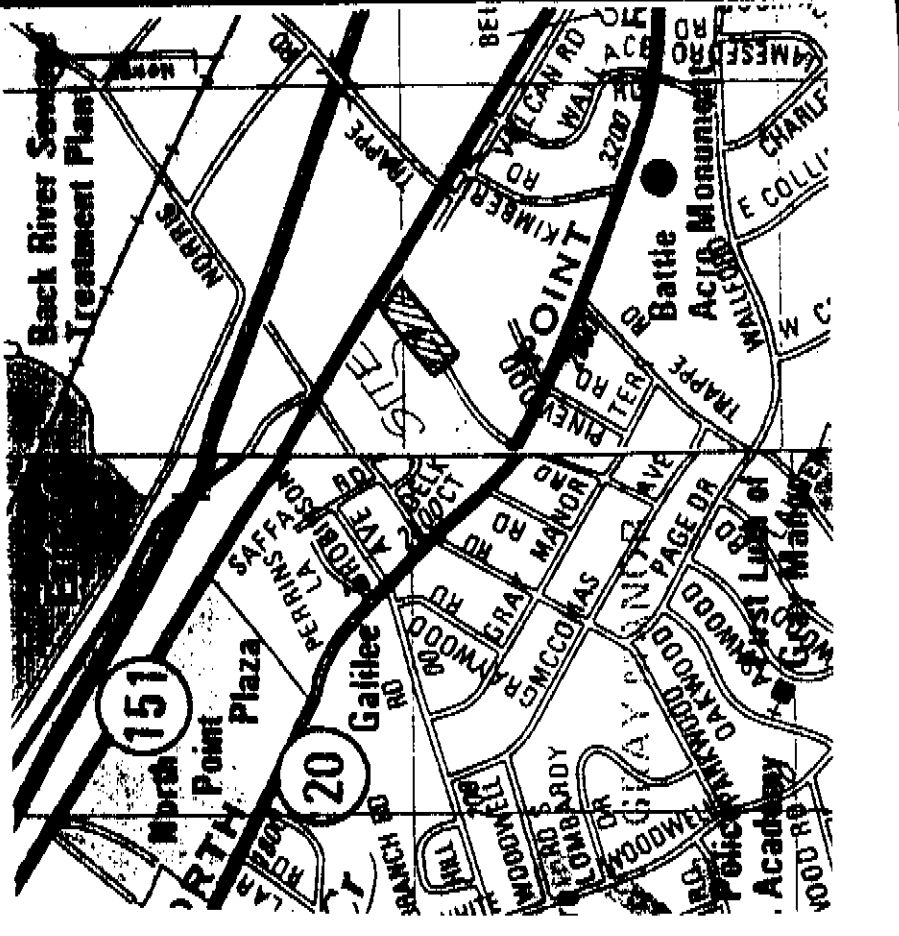
WEBSCOR INC.

Buyer : K. A. MAYHEM CONSTRUCTION Drawn By: SP
 Cust. : TOM'S AUTO PARTS 1-17-95
 Descr. : 33 x 60 x 12 2:12
 Site. : BALTIMORE, MD
 Scale : None
 P.D. : #11262

Check By: _____
 SHEET NO. 45 OF 5

- THIS SITE LIES IN.
1. ELECTION DISTRICT NO. 1
2. COUNCILLOR DISTRICT NO. 7
3. SITE ADDRESS:
BROSS: 176 + A
AREA IN BED OF NORTH POINT TERRACE = 0.10 ± AC
4. FLOOR AREA RATIO TERMINATED - 2.5
FLOOR AREA RATIO PROPOSED - $(33 \times 60) \div (10 \times 30) = 0.033$
5. PER FEMA. FLOOD INSURANCE RATE MAP ~~00000406~~ ⁰⁰⁰⁰⁰⁴⁰⁶ SITE LIES IN ZONE 'C'
6. EXISTING ZONING OF SITE / ACRES
a) DC 0.9 AC ±
b) DR-65-1 0.3 AC ±
7. DEED OF OWNERSHIP. ENK JR 9802/800
OWNER - THOMAS V GARAYNELO & JUNE E GARAYNELO
TXN ACCOUNT NO. 19. 1903002271
19. 1903002272
19. 1903002277
8. PREVIOUS ZONING - SPECIAL HEARING "NON CONFORMING USE FOR A JUNKYARD" PER 53-03-5PH.
APPROVED 12.21.02
9. NOTE AS TO PROPERTY OUTLINE SHOWN HEREON:
a) BEARING REFERRED TO SYSTEM COORDINATES AS SHOWN ON PLAT (40:120) PROPERTY OF MARS STORES INCORPORATED AND LEO & SANNIEDER ET UX. ET AL"
b) ZONING DESCRIPTION DEVELOPED FROM EXISTING DEEDS, PLATS, AND SOME RECOVERED FIELD EVIDENCE, AND IS NOT THE RESULT OF A BOUNDARY SURVEY.

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4900
FAX (410) 817-4802

[illegible]

VICINITY MAP 1"=1000'

**PETITIONER'S
EXHIBIT** 1

426

95-431-A

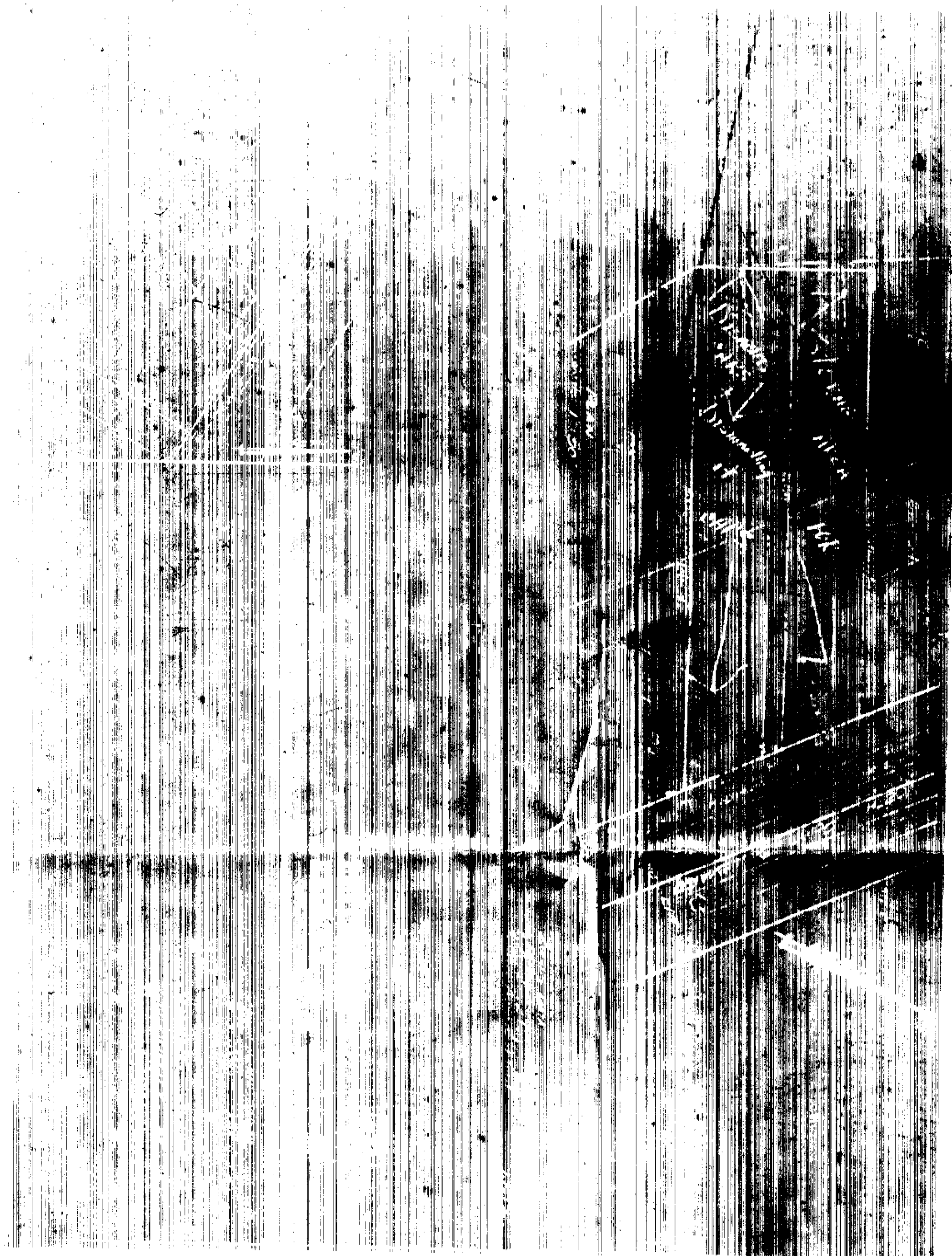
WICR0111M3

PLAT TO ACCOMPANY PETITION FOR VARIANCE
#2723 NORTH POINT BOULEVARD

TOMS AUTO PARTS

ELECTION DISTRICT NO 15 SANTA COUNTY MD
SCALE 1" = 40'
MAY 20, 1995
DEED REFERENCE - 9802-000

Zoning Variance Request: Petitioners request a Variance from Section 29.2 side and rear yards, set back in R Zone for buildings (30 feet from side line); Petitioners also request the Commissioner "to confirm the proposed plan change as being in compliance with Case 87-93-SPA."





Summary



1000



James M. McPherson

There are many, and we are very
happy to have you with us.

(Ifon 2E)

PROPERTY OF THE U. S. MARINE CORPS
HEADQUARTERS, MARINE CORPS
WASHINGTON, D. C.

County Office Building

83-93 4211

IN RE: PETITION FOR VARIANCE * BEFORE THE
SW/S North Point Boulevard, 485' NE of Trappe Road * DEPUTY ZONING COMMISSIONER
(2723 North Point Boulevard) * OF BALTIMORE COUNTY
15th Election District *
7th Councilmanic District * Case No. 95-431-A
Thomas Caravello, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2723 North Point Boulevard, located in the vicinity of Charlesmont in Dundalk. The Petition was filed by the owners of the property, Thomas and June Caravello. The Petitioners seek relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the minimum required 30 feet, and to confirm the proposed plan change as being in compliance with the previously approved site plan in Case No. 83-93-SPH. The subject property and relief sought are more particularly described on the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Tom and June Caravello, property owners, J. Scott Dallas, Registered Property Line Surveyor who prepared the site plan for this property, Kevin Mayhew, Contractor, and Ralph K. Rothwell, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.76 acres, more or less, split zoned B.R. and B.R.-C.S.I., and is improved with a one-story building. The property was the subject of prior Case No. 83-93-SPH in which the Petitioners were

granted approval of a nonconforming use of the subject property as an automobile recycling/junk yard. Testimony indicated that a junk yard has existed on the property since the 1930s and that the Petitioners have continued to operate a junk yard on the premises for the past 13 years. The Petitioners now come before me seeking variance relief to permit the construction of a 33' x 60' metal storage building on the property in accordance with Petitioner's Exhibit 1. The proposed storage building is needed to provide protective storage space for automobile parts, including electronic, electrical and computer sensitive parts found on newer cars. Due to the fact that a paper street runs through the center of the property, the Petitioners were forced to locate the proposed building within the required 30-foot side yard setback, and thus, a variance is necessary. Mr. Caravello testified that it is absolutely essential to have this storage building in order for his business to survive. Further testimony indicated that the proposed building is similar to those used at other automotive junk yard facilities in this area.

Mr. Kevin Mayhew testified as to the proposed building to be constructed. Mr. Mayhew testified that the proposed building is a pre-fabricated metal storage building, 33' x 60' in dimension, as depicted on Petitioner's Exhibit 2, a design plan of the proposed building. Given the site constraints of the property, the requested variance is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

- 2 -

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of July, 1995 that the Petition for Variance seeking relief from Section 238.2 of the Baltimore County Zoning

ORDER RECEIVED FOR FILING
Date 7/12/95
By [Signature]

- 3 -

Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the minimum required 30 feet, and to confirm the proposed plan change as being in compliance with the previously approved site plan in Case No. 83-93-SPH, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any building permits, the Petitioners shall submit a landscape plan for review and approval by Avery Harden, Landscape Architect for Baltimore County. All landscaping pursuant to the approved plan shall be accomplished within thirty (30) days of the date of the approved plan.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 7/12/95
By [Signature]

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 12, 1995

(410) 887-4386

Ralph K. Rothwell, Jr., Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
SW/S North Point Boulevard, 485' NE of Trappe Road
(2723 North Point Boulevard)
15th Election District - 7th Councilmanic District
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Rothwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. & Mrs. Thomas Caravello
2723 North Point Boulevard, Baltimore, Md. 21222

People's Counsel

File

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 2723 North Point Boulevard
which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the declaration and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 238.2 To allow a side yard setback of 10 ft. in lieu of the minimum required 30 ft. and to confirm the proposed plan change as being in compliance with case #83-93-SPH.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Petitioner has operated auto salvage facility on site for more than 20 years. The nature of vehicles and construction has changed and certain parts on modern vehicles must be kept under roof to prevent damage and loss due to exposure to the elements. Further, when dismantling vehicles with certain parts, that procedure should be done out of the elements which may cause damage and loss of value to parts. Such parts include electronic, electrical & computer sensitive type parts found on all newer vehicles. Petitioner presently has no such facility and in order to be competitive, needs that capability. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Estimated Length of Hearing

Next Two Months

ALL

REVIEWED BY

DATE

5-26-95

Printed with Soybean Ink on Recycled Paper

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City

State

Zip

Phone No.

Estimated Length of Hearing

Next Two Months

ALL

REVIEWED BY

DATE

5-26-95

Printed with Soybean Ink on Recycled Paper

ZONING DESCRIPTION

#2723 North Point Boulevard

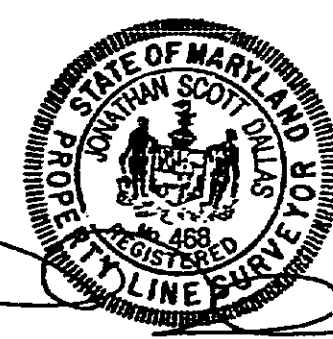
BEGINNING at a point on the southwest side of North Point Boulevard which is 150 feet wide at a distance of 485 feet, more or less from the centerline of Trappe Road which is 70 feet wide as shown on the Plat of Property of Mars Stores, Incorporated and Leo G. Schneider, Et.Ux., Et.Al as recorded among the Land Records of Baltimore County in Plat Book 40 folio 126 thence leaving said North Point Boulevard and running the three following courses and distances: (1) South 56 degrees 15 minutes 38 seconds West 503.00 feet (2) North 33 degrees 36 minutes 43 seconds West 164.25 feet (3) North 56 degrees 15 minutes 38 seconds East 428.34 feet to intersect said southwest side of said North Point Boulevard thence running with and binding on said southwest side of said North Point Boulevard (4) South 58 degrees 04 minutes 44 seconds East 180.27 feet to the place of beginning.

CONTAINING 1.76 acres of land, more or less.

BEING all of that parcel of land as recorded in Deed Liber 5882, folio 860 etc.

Also known as #2723 North Point Boulevard and located in the 15th Election District.

(NOTE: Above description is for zoning hearing purposes only, was developed from existing deeds, plats, and some recovered field evidence, and is not the result of a boundary survey.)



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 6/8/95

Posted for: Variance

Petitioner: Thomas & June Caravello

Location of property: 2723 N. Pt. Blvd., S.46

Location of Signs: Leaving property on property being posted

Remarks:

Posted by: [Signature] Date of return: 6/14/95

Number of Signs: 1

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 5-26-95

When: Thomas Caravello

Site: 2723 North Point Blvd.

#020 — Commercial Variance filing fee — 250.00

#080 — Sign & Posting — 35.00

Total — 285.00

Please Make Checks Payable To: Baltimore County

Checklist Validation

03403812-210-400
BA 0007107-4005-26-95
\$285.00



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 426
Petitioner: Ralph K. Rothwell, Jr.
Location: 277508 Eastern Ave. 21224
PLEASE FORWARD ADVERTISING BILL TO: 282-2700
NAME: _____
ADDRESS: Same
* PHONE NUMBER: _____

MUST BE SUPPLIED

TO: **PUTNEY PUBLISHING COMPANY**
June 8, 1995 Issue - Jeffersonian

Please forward billing to:

Ralph K. Rothwell, Jr., Esq.
7508 Eastern Avenue
Baltimore MD 21224
282-2700

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-431-A (Item 426)

2723 North Point Boulevard -- Toms Auto Parts
SW/S North Point Boulevard, 485' NE of Trappe Road
15th Election District - 7th Councilmanic

Legal Owner(s): Thomas Caravello and June Caravello

HEARING: TUESDAY, JUNE 27, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to allow a side yard setback of 10 feet in lieu of the minimum required 30 feet and to confirm the proposed plan change as being in compliance with case #83-93-SPH.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Variance to allow a side yard setback of 10 feet in lieu of the minimum required 30 feet and to confirm the proposed plan change as being in compliance with case #83-93-SPH.

Arnold Jablon
Arnold Jablon
Director

cc: Thomas and June Caravello
Ralph K. Rothwell, Jr., Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 20, 1995

Ralph K. Rothwell, Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: Item No.: 426
Case No.: 95-431-A
Petitioner: Thomas Caravello

Dear Mr. Rothwell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: THOMAS CARAVELLA & JUNE CARAVELLO

LOCATION: SW/S NORTH POINT BLVD., 485' NE OF TRAPPE RD.
(2733 NORTH POINT BLVD.-TOMS AUTO PARTS)

Item No.: 426 Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
JUN 9 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: June 12, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for June 12, 1995
Items 420, 421, 424, and 426

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE**

TO: ZADM Joyce Watson DATE: 6/13/95

FROM: DEPRM Development Coordination

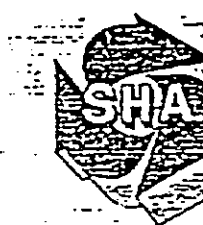
SUBJECT: Zoning Advisory Committee
Agenda: 6/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 420
421
422
423
425
426
427

LS:sp

LETTY2/DEPRM/TXTS6P



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassouf
Administrator

6-6-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 426 (JVS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM DATE: June 22, 1995
FROM: Pat Keller, Director, OPZ
SUBJECT: 2723 North Point Boulevard

INFORMATION:

Item Number: 426
Petitioner: Caravello Property
Property Size: _____
Zoning: BR
Requested Action: Variance
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit a setback of 10' in lieu of the required 30', and confirmation that the plan is in compliance with Case #83-93 SPH.

The petitioner's site was the subject of a special hearing in 1982 (Case No. 83-93-SPH). The order in that case included several restrictions that are pertinent to the current requested variance and they are listed below:

- The area of land used for the junk yard shall not be less than one acre, and no inoperable vehicle, machinery, or other junk or scrap shall be located, either for storage or dismantling, within 50 feet of the front street line or 30 feet from any other adjoining property.

- All junk shall be located to allow free passage of North Point Terrace from its point of intersection with the petitioner's rear property line to its intersection with the right-of-way line of North Point Boulevard.

- The subject property shall be fenced, as proposed by the petitioners, or in the alternative, shall be screened by the planting of shrubbery, evergreen trees, or vines, as may be required by... the Office of Planning and Zoning. In either case, the entrances/exits to and from the site shall remain open to allow the use of North Point Terrace.

A site visit revealed there is no landscaping, and a sheet metal fence approximately 12' high surrounds the site along the property line with an entrance on the North Point Boulevard side. The fence prevents the free passage from North

ITEM426/PZONE/ZAC1

Point Terrace to North Point Boulevard. Research did not reveal a building permit was issued for the existing fence (active permits go back to January 1, 1989).

Based on noncompliance with the existing Order and the community and County's attempt to beautify the North Point Boulevard Corridor, staff recommends the following conditions be attached should the request be granted:

- A landscaped plan should be submitted for approval by the Baltimore County Landscape Planner, Avery Harden, prior to the issuance of any building permits.

- The plan should include street trees along the North Point Boulevard frontage and vines should be planted on the outside of the fence to reduce the visual impact. The Office of Planning has met with Mr. Harden prior to the development of this comment to ensure that our concerns are addressed.

Prepared by: *Jeffrey A. Long*

Division Chief: *Carol L. Kenna*

PK/JL

c: Avery Harden

ITEM426/PZONE/ZAC1

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 28, 1995

(410) 887-4386

Ralph K. Rothwell, Jr., Esquire
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE
SW/S North Point Boulevard, 485' NE of Trappe Road
(2723 North Point Boulevard)
15th Election District - 7th Councilmanic District
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Rothwell:

In response to your letter dated July 17, 1995 concerning the above-captioned matter and your request for a reconsideration of the landscaping requirements imposed by my Order issued July 12, 1995, the following comments are offered.

I have reviewed the case file and the comments contained therein and am persuaded to deny your request. While I can appreciate the sentiment expressed in your letter that your client would be the only property owner along this business strip who would be required to provide landscaping, it is clear that the Office of Planning and Zoning seeks to improve the aesthetic appearance of this area of Baltimore County by requiring that landscaping be provided where possible in all future developments. For your information, I visited the subject property prior to making my decision in this matter and determined that a landscape plan for this area is warranted. Therefore, I must deny your request for reconsideration.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:hjs

cc: Mr. & Mrs. Thomas Caravello
2723 North Point Boulevard, Baltimore, Md. 21222

Case File

Printed with Soybean Ink
on Recycled Paper

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

4932 HAZELWOOD AVENUE
BALTIMORE, MD 21206
(410) 866-2894
FAX (410) 866-2003

March 31, 1995

Mr. Arnold Jablon, Director
Baltimore County
Zoning and Development Management
(HAND DELIVER)

RE: Proposed Metal Storage Building
Tom's Auto Parts
North Point Blvd.

Dear Mr. Jablon:

In accordance with my conversation with Mr. John Lewis of your office I have enclosed a \$40.00 check to Baltimore County, a copy of Petitioner's Exhibit 1 as submitted in previous 83-93-SPH, and a copy of my "Plan to Accompany Building Permit Application" depicting current conditions at the referenced site.

Mr. Thomas Caravello, owner of the subject property, would like to construct the "proposed metal storage building" as shown crosshatched on my Plan. Most of the site is currently covered by car parts and partially dismantled cars. The storage building will be used for keeping select parts from exposure. Per Mr. Lewis, we are aware that a variance will be required for a 10' setback to property line. The purpose of this request is to confirm that the proposed building meets with the spirit and intent of the original non-conforming use.

Thank you for your consideration in this matter. Your earliest response will be greatly appreciated.

Very truly yours,

J. Scott Dallas
J. Scott Dallas, P.L.S.
President

April 5, 1995

15th Election District

Dear Mr. Dallas:

The proposed addition was reviewed for spirit and intent and staff believes that this question is best resolved by including, as part of the zoning variance wording, a request to "confirm the proposed plan change as being in compliance with zoning case 83-93-SPH."

Should you have any questions regarding the above, please contact me at 887-3391.

Sincerely,

John A. Lewis
John A. Lewis
Planner II

JLL:jaw

PETITION PROBLEMS
AGENDA OF JUNE 5, 1995

#420 - JRF

1. Notary section is incorrect.

#421 - MJK

1. Front of petition form has one signature; back of petition form has two signatures. One or two legal owners - which is correct?

#424 - JCM

1. No legal owner's name, signature, address, telephone number on petition form. (See JCM's memo in file.)

#426 - JJS

1. Zoning on top of petition form does not agree with zoning on folder.

#427 - JJS

1. Need typed or printed name and title of person signing for legal owner.

RE: PETITION FOR VARIANCE
2723 North Point Boulevard (Tom's Auto Parts), SW/S North Point Blvd, 485' NE of Trappe Road, 15th Election District, 7th Councilmanic
Thomas and June Caravello
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-431-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Denilio
CAROLE S. DENILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Ralph K. Rothwell, Jr., Esquire, 7508 Eastern Avenue, Baltimore, MD 21224, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MASLAN, MASLAN AND ROTHWELL, P.A.

ATTORNEYS AT LAW
7508 EASTERN AVENUE
BALTIMORE, MARYLAND 21224
TEL (410) 886-2700
FAX (410) 882-3336

OF COUNSEL
M. MICHAEL MASLAN

July 17, 1995

GARY R. MASLAN
RALPH K. ROTHWELL, JR.

Timothy M. Kotroco,
Deputy Zoning Commissioner
Office of Planning and Zoning
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Petition for Variance
SW/S North Point Blvd., 485' NE of Trappe Rd.
Thomas Caravello, et ux - Petitioners
Case No. 95-431-A

Dear Mr. Kotroco:

I am in receipt of your decision of July 12, 1995, which conforms to your oral findings at the hearing with one exception. Condition two of your Order regarding a landscaping plan was not brought to our attention at the hearing and we had no opportunity to address it. When I received the packet of comments from the various county and state agencies, they did not include the proposed landscaping information. In fact, that letter came to my attention and to my office well over a week after the hearing itself.

Please consider this letter in the nature of a Motion for Reconsideration asking that you remove the requirement for the landscape plan. I refer you to our exhibits and photographs of North Point Boulevard in that area. If my client is required to undertake some sort of landscaping plan, he will be the only business in that whole strip that is required to do so. If you look at the first building to his left, which is Collisons, apparently they put up a huge garage and did not landscape anything. That building is brand new this year.

My client is putting up a metal building, set back from the road that no one will see. It hardly seems fair to subject him to these landscaping requirements. I would respectfully request that you reconsider your Order and delete that particular requirement. I thank you for your attention.

Very truly yours,

Ralph K. Rothwell, Jr.
Ralph K. Rothwell, Jr.

RKR/rf

cc: Thomas & June Caravello

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

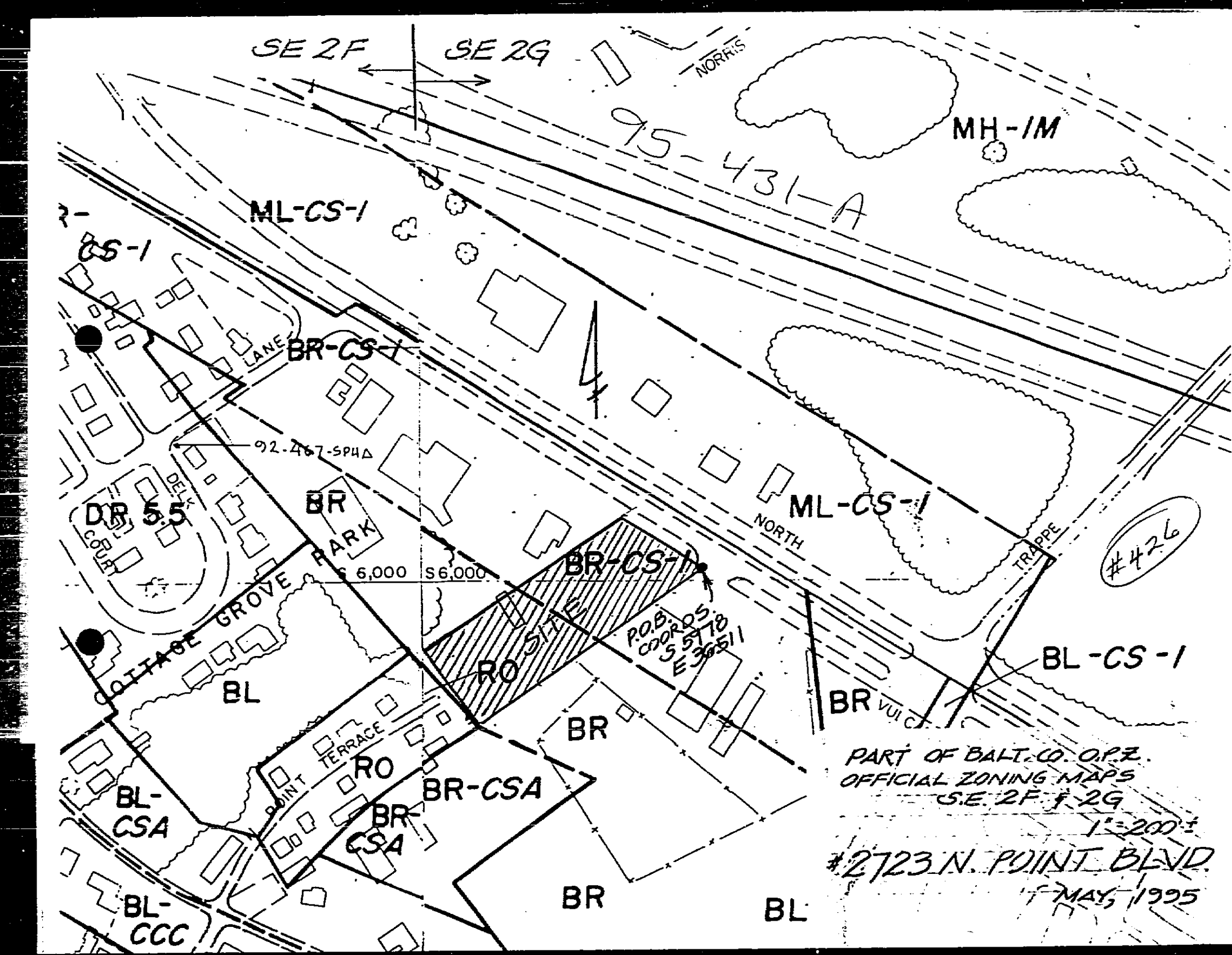
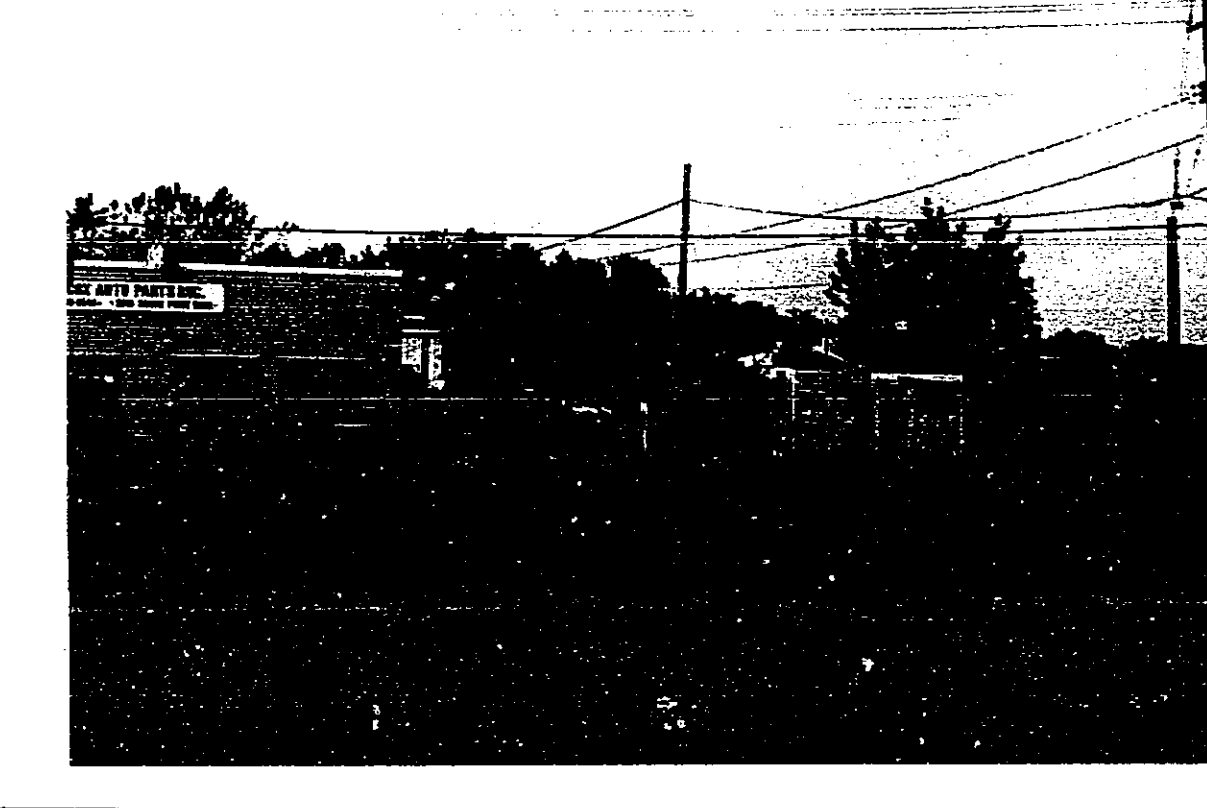
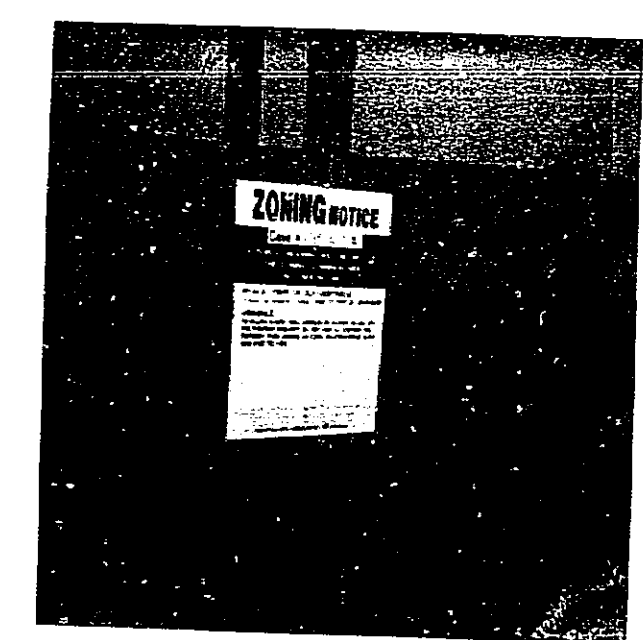
NAME	ADDRESS
<i>Ralph Rothwell</i>	<i>7508 Eastern Ave</i>
<i>Tom Caravello</i>	<i>2726 NP TERRACE</i>
<i>J. Scott Dallas</i>	<i>13523 Long Green Rte 21013</i>
<i>Karin A. Mayhew</i>	<i>7502 Old Hartford Rd 21234</i>
<i>June Caravello</i>	<i>2726 North Point Ter</i>

Printed with Soybean Ink
on Recycled Paper

83-93-SPH
(file with 95-431)

Petitioner's
Exhibits 3A-
3G
95-431-A
(photographs)

95-431-A



PETITIONER'S
EXHIBIT 2

WedgCor, Inc.
Building Systems (701) 252-7380
P.O. Box 110 • Jamestown, ND 58402-0110

APPROVAL DRAWINGS ONLY

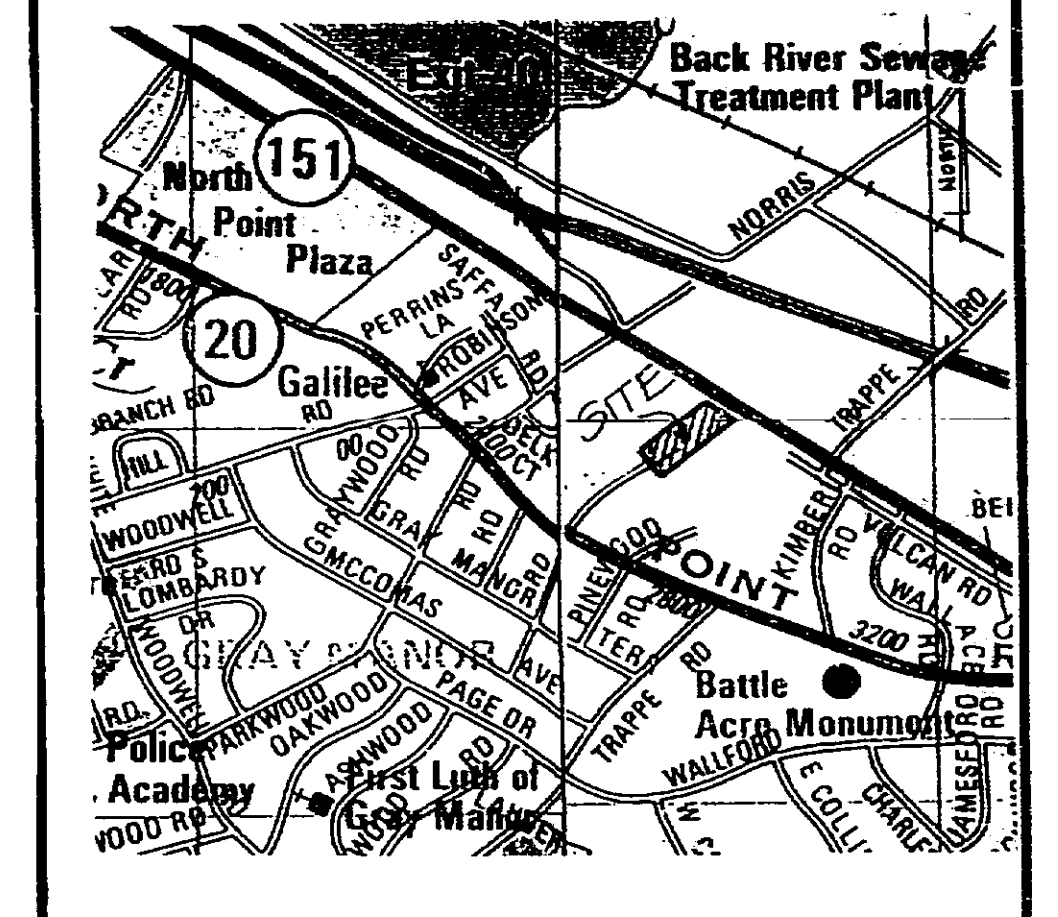
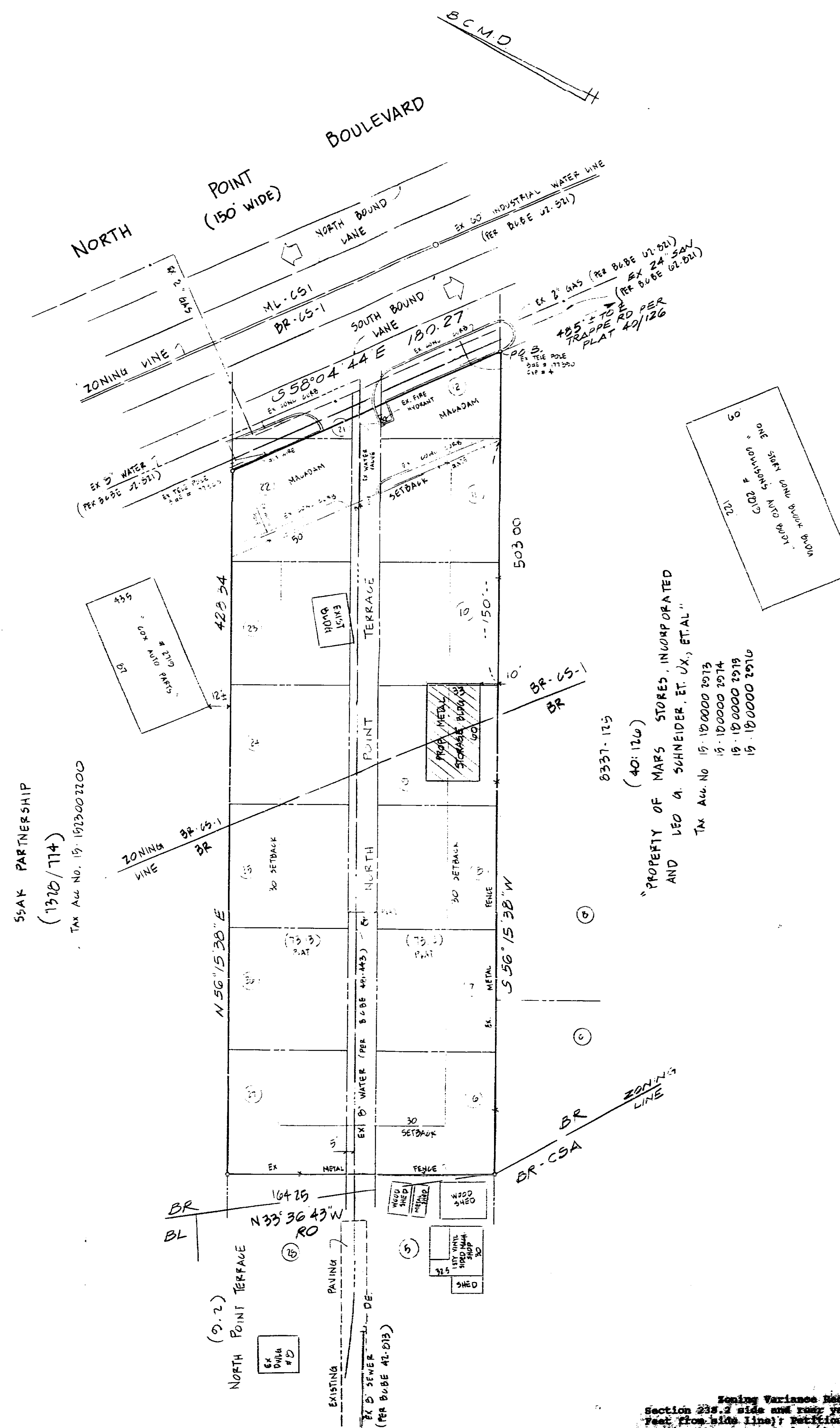
NOTE: THESE PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF THIS BUILDING ARE NOT TO BE USED FOR ERECTION PURPOSES. THESE PLANS ARE FOR BUILDING DEPARTMENT AND APPROVAL PURPOSES ONLY. THE ANCHOR BOLT PLAN PORTION IS FOR CONSTRUCTION.

NOTICE TO BUYER

WEDGCor, INC. ONLY SUPPLIES BUILDING MATERIALS MANUFACTURED BY WEDGCor, INC. YOUR DEALER IS INDEPENDENT AND NOT A CONTRACTOR OR AGENT OF WEDGCor, INC. INSULATION, ERECTION, OVERHEAD DOORS, ETC., ARE NOT THE RESPONSIBILITY OF WEDGCor, INC.

GENERAL NOTES

- THIS SITE LIES IN:
- ELECTION DISTRICT No. 15
- COUNCILMANIC DISTRICT No. 7
- SITE AREA:
 - GROSS: 1.70 ± AC.
 - AREA IN DEED OF NORTH POINT TERRACE - 0.19 ± AC
- FLOOR AREA RATIO PERMITTED - 2.0
- FLOOR AREA RATIO PROPOSED $(33 \times 60) + (10 \times 30) = 0.033$
- PER FEMA FLOOD INSURANCE RATE MAP 24001/0406 SITE LIES IN ZONE 'C'
- EXISTING ZONING OF SITE/ACRES
 - a) BR 0.9 AC. ±
 - b) BR-05-1 0.8 AC. ±
- DEED OF OWNERSHIP: E.H.K. JR. 5002/800
- OWNER - THOMAS L GARAYELLO & JUNE E GARAYELLO
- TAX ACCOUNT No. 19-1903002271
19-1903002272
19-1903002277
- PREVIOUS ZONING - SPECIAL HEARING "NON CONFORMING USE FOR A JUNKYARD" PER 03-03-SPH. APPROVED 12-21-82
- NOTE AS TO PROPERTY OUTLINE SHOWN HEREON:
 - a) BEARING REFERRED TO SYSTEM COORDINATES AS SHOWN ON PLAT (40:176) - "PROPERTY OF MARS STORES, INCORPORATED AND LEO A SCHNEIDER ET UX, ET AL"
 - b) ZONING DESCRIPTION DEVELOPED FROM EXISTING DEEDS, PLATS, AND SOME RECOVERED FIELD EVIDENCE, AND IS NOT THE RESULT OF A BOUNDARY SURVEY.



VICINITY MAP 1"=1000'

PETITIONER'S
EXHIBIT 1

95-431-A

PLAT TO ACCOMPANY PETITION FOR VARIANCE
#2723 NORTH POINT BOULEVARD

TOM'S AUTO PARTS

ELECTION DISTRICT No. 15 BALTO. COUNTY MD
SCALE: 1"=40' MAY 29, 1995
DEED REFERENCE - 9002-000

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
13523 LONG GREEN PIKE
P.O. BOX 28
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

DATE	REVISION

Zoning Variance Request: Petitioners request a Variance from Section 234.2 of the Baltimore County Zoning Ordinance (30 feet from side line); Petitioners also request the Commissioner "to confirm the proposed plan change as being in compliance with Case 83-93-SPH."